

THE

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Old Bailey Chronicle;

CONTAINING

A CIRCUMSTANTIAL ACCOUNT

OF THE

LIVES, TRIALS, AND CONFESSIONS,

OF

THE MOST NOTORIOUS OFFENDERS,

WHO HAVE SUFFERED DEATH, AND OTHER EXEMPLARY
PUNISHMENTS,

IN.

ENGLAND, SCOTLAND, and IRELAND,

FROM THE

COMMENCEMENT OF THE YEAR 1770,

TO THE

END OF THE YEAR 1788.

TO WHICH IS ADDED,

THE ORDINARY OF NEWGATE'S ACCOUNT

OF

EVERY CAPITAL MALEFACTOR EXECUTED THIS CENTURY.

Properly arranged from the Records of Court,

By JAMES MOUNTAGUE, OF THE TEMPLE, ESQ.

VOL. II.

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MDCCCLXXXVIII.



*Catharine Hayes assisting Wood & Billings
of the head of John Hayes.*



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OLD BAILEY CHRONICLE.

THOMAS BILLINGS, THOMAS WOOD, and CATHERINE HAYS, *for Murder, April, 1726.*

THOMAS BILLINGS, and Thomas Wood, were indicted for the murder of John Hays, Billings by beating, striking, and bruising him on the hinder part of his head with a hatchet, and thereby giving him one mortal wound, of which he instantly died, on the first day of March, 1725-6, and Wood, by being present, aiding, abetting, and maintaining the said Billings in committing the said murder.

To this indictment they both pleaded guilty.
Death.

Catherine Hays was indicted for petit treason, by being traiterously present, aiding, abetting, comforting, and maintaining the said Thomas Billings, in the murder of the said John Hays her husband.

Richard Bromage. After the prisoner, Catherine Hays, was committed to Newgate, I, and Robert Wilkins, and Leonard Myring went to visit her there. I am very sorry, Mrs. Hays, says I, to see you here upon such a sad occasion as the murder of your husband. And so am I too, says she. But what a

G—d's name, says I, could put it into your head to commit such a barbarous murder? Why, said she, the D-v-l put it into my head! but, however, John Hays was none of the best of husbands, for I have been three parts starved ever since we were married together. I don't in the least repent of any thing I have done, but only in drawing those two poor men into this misfortune. I was six weeks in importuning them to do it; they two or three times refused to be concerned in it; but at last I over-persuaded them. My husband was made so drunk, that he fell out of his chair, and then they carried him into the back room, and laid him upon the bed, and there Billings knocked him on the head with a hatchet, and Wood cut his throat. This was what they told me, for I was not in the room when he was killed: But, as soon as he was dead, I went in and held the candle, while Wood cut his head quite off. But, says I, How came you to cut him and mangle him in such an inhuman manner? She answered, because we wanted to get him into a box; we thought to have done it with only cutting off his legs at the knees, but still we could not get him in, and therefore we cut off his thighs, and his arms, though when we had done, the box was too little to hold all, and shut close; and so the next night we put the body and limbs into two blankets, and Wood and Billings carried them away at twice, and threw them into a pond. But, says I again, What could induce the men to be guilty of all this? Was it the lucre of money? No, says she, there was nothing of that in the case, but the D-v-l was in us all, and we were all got drunk. And what, said I, can you say for yourself when you come before the court? she replied, It will signify nothing to make a long preamble, I'll hold up my hand and confess myself guilty,

guilty, for nothing can save me, and nobody can forgive me.

Leonard Myring. I went to see the prisoner in Newgate the day after she was committed, but she confessed nothing at that time. I went again on the Sunday evening, and then she said, I am glad you are come, for Thomas Wood, one of the men that committed the murder, was taken to-day, and has confessed that it was done by him and Billings; but I was not with them when they did it, for I was drunk, and sitting upon a stool by the fire, in the shop; but I heard the blow given, and heard somebody stamp. And why then, says I, did not you cry out for help? she answered, Because I was afraid they would murder me too: and so, after they had killed him, they cut off his head, and carried it out in a pail; and, when they came back, Billings sat down by me, and cried, and would lie in the room where the dead body was that night.——Another time she told me, that she was not upon the same floor, but in the shop below stairs when her husband was killed.——I went again with Richard Bromage, and Robert Wilkins to visit her, and then she confessed that for some time past there had been a contrivance to kill her husband; but said, that she did not know they would do it that night as it was done. I asked her how they came to contrive such a wicked thing? Why, said she, my husband came home drunk one night, and beat me, upon which Billings said, This fellow deserves to be killed. Aye, says Wood, and so he does, and I would be his butcher for a penny: and I told them, as to that, they might do as they thought fit. But, pray, Mrs. Hays, said I, why did you never acquaint your husband with their design? Because, said she, I was afraid that he would beat me.

Robert

Robert Wilkins confirmed the evidence of *Richard Bromage*.

Joseph Mercer. On the Monday after the prisoner was committed, I don't know whether it was the 28th or 29th of March, I went to see her in Newgate, Mr. Mercer, said she, You are Tom Billings's friend as well as mine, and therefore I desire you would go and tell him, it will be in vain for him to deny the murder any longer, for we are both equally guilty, and we must both die for it.

John Blackesly. I live at the Brawn's-head-tavern in New-bond-street. On the first of last month, about four in the afternoon, the prisoner and the two men who have pleaded guilty, came together to our house; she said, she wanted to taste some wine, for she should have occasion for a quantity. Then she called for a half pint of mountain, and, when they had drank it, she ordered me to put up six quarts of the same. She paid for it at the bar, and saw it put into bottles. I sent a porter home with her, that he might know where to call for the bottles when they were empty: but, about nine o'clock the same night, one of those two men brought back the six empty bottles, and had another quart of wine.

Mary Springate. I lodged up two pair of stairs in Mr. Wingard's house, where the murder was committed.—On Tuesday, the first of March last, I was out all day at work, and came home between eight and nine at night. My husband told me, there had been great merry-making, drinking, and dancing in the room below, I was tired, and wanted to be a-bed, but was willing to know if their liquor was almost out, that I might not be disturbed when I was going to sleep; and so I went down and knocked at the door, and asked her, if they had almost

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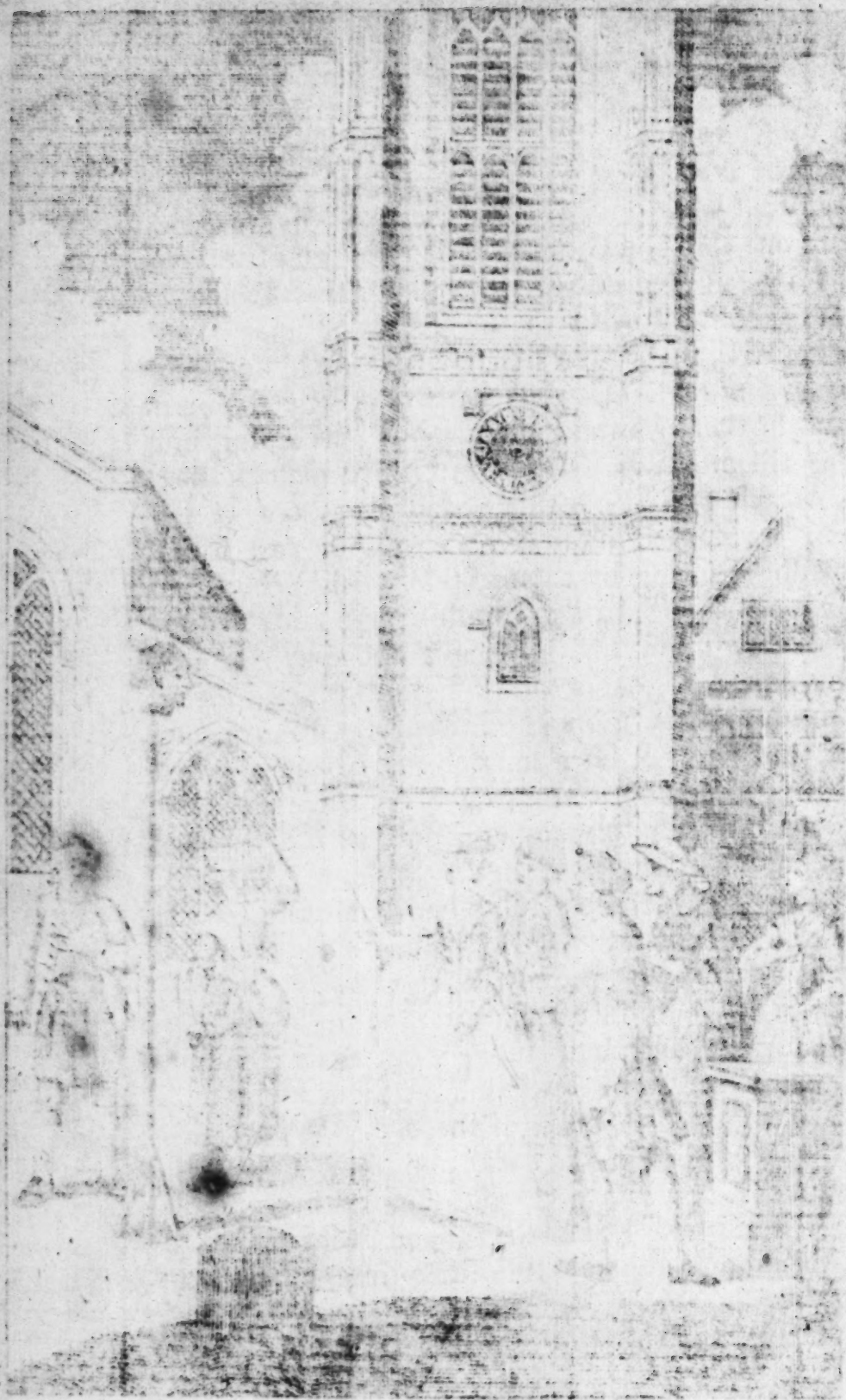
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John Hayes's head exposed in St. Margaret's church yard.



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almost done drinking. Aye, child, said she, I am just going to bed. And with that, I said no more, but went up again, but it was not long before I heard the door open. I called, and asked her, who it was that went out? O! said she, It is my husband, he is gone into the country with a charge of money, and I am frightened out of my wits for fear he should be murdered: I wish to the Lord he may come safe home again; but I never knew such an obstinate man in my life, when he gets a little liquor in his head: there was no such thing as persuading him to stay till morning. I got up by five o'clock next day, which was Wednesday, and went out to my work; I returned about nine at night, and found the prisoner sitting by the fire side, with Wood and Billings, but without any candle. She said, she was very uneasy upon her husband's account, for fear some wicked rogue or other should knock him on the head for his money. I went up to my own room, but had not been long there, before I heard something drawling along the floor, and the door open, and somebody go out: upon which, I went down and asked her what they were doing? She said, the men were going to fetch a bed home; so I went up again, and when they came back she let them in, and I heard them say, they had not got money enough for the bed. By and by I heard another drawling along the floor, and the men went out again. When they returned, I went down and let them in myself, but they had not yet brought the bed. What, says she, was the landlord's mark upon it? They answered, Yes. Why, then, said she, I am glad you did not bring it; I left them, and went up once more to my own room. In a little time I heard another bustling below, at which I began to grow very uneasy, and thought that something more than ordinary

8 BILLINGS, WOOD, and HAYS, for Murder.

ordinary must be the matter; and so I was going down again, but she met me at my own door, and said, she was come to smoak half a pipe with my husband. While she staid, I heard the men going out again, I stepped to the stair-head, and looked down over the rails, she followed, and asked me, why I was so uneasy. To tell you the truth, says I, Mrs. Hays, I believe you are a going to move your goods by night, and I think it is a shame you should do any such thing, when you have got money that lies by you: no, indeed, said she, it is no such thing. Then, pray, says I, Mrs. Hays, tell me what is the matter? Why, nothing, said she, and therefore I beg you would make yourself easy. The next day, which was Thursday, I saw Wood go out with a bundle, and turn down Swallow-street. I asked her, what that bundle was, and she told me, it was a suit of cloaths that he had borrowed to go abroad in last Sunday. The head that was thrown into the Thames at Mill-bank, and the pail that it was carried in, were both brought to me to the Gate-house, to see if I knew them. I knew the head to be the head of Mr. Hays, and that the pail was his pail. Mr. Bowers, let me see the coat?—And this my lord was Mr. Hays's coat.

At the sight of the coat the prisoner at the bar fainted away.

Richard Bowers. Wood lodged at my house at Greenford three weeks. When he first came, which was on Thursday the 3d of March, he brought this coat with him.

Prisoner. I own that, three or four days before my husband was killed, there was a design against his life; but I was not guilty of his blood. He and Billings had been playing at cards, and fell out about the game, and, I bidding Billings tell the
pips

pips of the cards, my husband flew into a passion, and beat me, which Billings very much resented, and from that time resolved to murder him; but I had no hand in it; for, when it was done, I was in the next room, and therefore I am clear and innocent of the fact.

The jury found her guilty. *Death.*

A full and particular Account of the Life, Trial, and Behaviour of Catherine Hays, who was Burnt alive at Tyburn, for the Murder of her Husband; and also an Account of Thomas Billings, and Thomas Wood, who were concerned in the said Murder.

CATHERINE HAYS was born of parents of the Name of Hall, in very low circumstances, in the year 1690, on the borders of Warwickshire, about four miles from Birmingham.

She lived with her parents several years, but their poverty did not permit them to bestow any education on her; on the contrary, they were obliged to apply to the parish for relief, at the charge of which she was maintained for several years.

Even during her childhood she gave evident sign of a fiery turbulent temper, and untractable spirit, which her want of education rather increased than otherwise, so that she at length became ungovernable.

In this manner she lived till about the year 1705, when several officers going into that country to beat up for volunteers, the men were quartered in and about the neighbourhood.

Whether the appearance or the behaviour of the military gentleman induced our heroine to accompany them we cannot pretend to determine; but certain

to BILLINGS, WOOD, and HAYS, for Murder.

it is that she rambled about with them to several places; and when they left Birmingham and its neighbourhood, she accompanied them to a village in Worcestershire, called Great Ombersly, where, either tired with her company, or not chusing the expence of maintaining her any longer, they took an opportunity of leaving her behind.

Being thus left alone, and not knowing what course to take, she wandered about like a distracted creature, till coming to the door of one Mr. Hays, his wife good-naturedly took her in, and entertained her for a few days.

At that time Mr. Hays had several children, the eldest of which, whose name was John, about twenty-one years of age, found something so agreeable in the person and conversation of Catherine, that he privately made overtures of marriage to her. His proposals were readily accepted; but the young people believing that neither Mr. Hays nor his wife would consent to the match, agreed to keep their intentions a profound secret.

The preliminaries were soon settled, and in five or six days the preparations for a private marriage being made, they agreed it should be solemnized at Worcester, and, on the appointed day, they left the old people very early in the morning, in the following manner:

Young Hays, who was a carpenter by trade, acquainting his mother that he had occasion for some tools in his business, which he would go and purchase at Worcester, obtained by that means some money of her, which, together with some he had by him, were sufficient to defray the expences of the intended expedition.

Being thus furnished, he took leave of his parents early in the morning; and Catherine, without the formality

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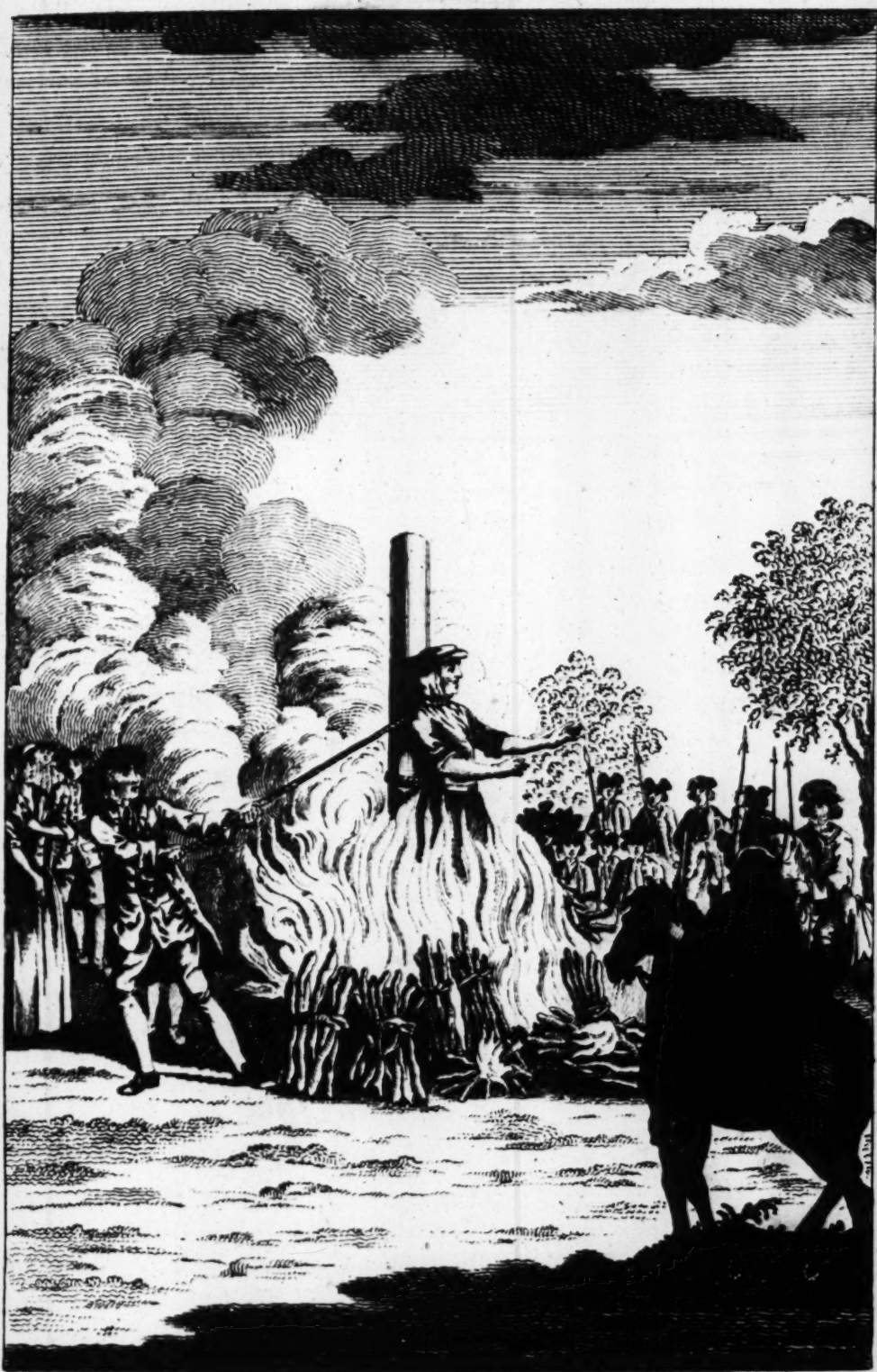
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Catherine Hayes burnt for the murder of her husband.

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formality of bidding them adieu, trudged after him to Worcester, where they met at an appointed place, and the wedding was soon celebrated.

On the very day of her marriage, Mrs. Catherine Hays had the fortune to meet with some of her former acquaintance, who had lately dropped her at Omberly, and were now quartered at Worcester.

These fellows understanding she was that day married, and where the nuptials were to be solemnized, consulted among themselves how to make a penny of the bridegroom, and accordingly deferring the execution of their intentions till the evening, just as Mr. Hays was got into bed to his new bride, they came to the house where he lodged, forcibly entered the room, and dragged the bridegroom away, pretending to impress him for her majesty's service.

This affair broke the measures Mr. Hays had concerted with his bride, to keep their wedding a secret; for finding no redemption from their hands without the expence of a larger sum of money than he was master of, he was necessitated to let his father know of his misfortune.

The old gentleman hearing of his son's adventures, as well as of his marriage, as his being pressed at the same time, his resentment for one did not extinguish his paternal affection for him, but that he resolved to deliver him from his troubles, and accordingly taking a gentleman in the neighbourhood alone with him, he went to Worcester.

On their arrival there, they found Mr. John Hays in the hands of the officers, who insisted upon detaining him for her majesty's service; but his father, and the gentleman he brought with him, by his authority, soon made them sensible of their error, and instead of making a benefit of him, as they proposed, they were glad to discharge him, which they did immediately.

Mr. Hays having acted thus far in favour of his son, then expressed his resentment for his having married without his consent, but it being too late to prevent it, there was no other remedy but to bear it with patience.

For some time afterwards, Mr. Hays and his bride lived in the neighbourhood, he following his business as a carpenter, and his father and mother grew more reconciled to him.

But Mrs. Hays who approved rather of a travelling than a settled life, persuaded her husband to enter himself a volunteer in a company of soldiers, who were then at Worcester; which he at length complied with, and went abroad with them, where he continued for some time.

Mr. John Hays being in garrison in the Isle of Wight, Mrs. Hays went over to him, and continued with him for some time, till Hays, tired with so idle a life, solicited his father to procure his discharge, which at length, after much trouble, and an expence of sixty pounds, was accomplished.

The young couple now returned into Worcestershire, where his father put him into an estate of ten pounds per annum; hoping that, with the benefit of his trade, would enable them to live in credit, and alter his daughter-in-law's inclination for roving; for he was sensible that his son's ramble had been occasioned by the persuasion of his wife.

Young Hays now representing to his father that it was not possible for him and his wife to live on that Estate only, persuaded the old man to let him have another, a leasehold of sixteen pounds per annum; on which he lived during the continuance of the lease, and the old man paid the rent.

The characters of John Hays and his wife were widely different: he was a sober, honest, peaceable man,

man, and a good husband; and the only thing objected to him are, that he was rather too parsimonious in his disposition, and too indulgent to his wife, who repaid his kindness with approbrious language, and sometimes with ill usage.

As to his wife, she was on all hands allowed to be a very turbulent, vexatious woman, always setting people together by the ears, and never free from quarrels and controversies in the neighbourhood, giving ill advice, and fomenting disputes, to the disturbance of all her friends and acquaintance.

This unhappiness in her temper induced Mr. John Hays's relations to persuade him to settle in some remote place, at a distance from, and unknown to her, for some time, to see if that would have any effect upon her turbulent disposition; but Mr. Hays could not approve of that advice, nor consent to a separation.

In this manner they lived for the space of about six years, until the lease of the last mentioned farm expired, about which time Mrs. Hays persuaded her husband to leave the country and come up to London, which about twelve months afterwards, through her persuasions, he did, in the year 1719.

Upon their arrival in town they took a house, part of which they let out in lodgings, and sold sea-coal, chandlery-ware, &c. whereby they lived in a creditable manner; and though Mr. Hays was of a very indulgent temper, yet she was so unhappy as to be frequently jarring, and a change of climate had not made any alteration in her temper; she continued her same passionate disposition, and had frequently bickerings and disputes with her neighbours, as well in town as in the country.

In this business they picked up money, and Mr. Hays received the yearly rent of the first mentioned estate,

estate, though he lived in town; and by lending out money in small sums amongst his country people, and acquaintance, improved his circumstances considerably.

She would frequently, in speaking of Mr. Hays to his friends and acquaintance, give him the best of characters, and commend him for an indulgent husband; notwithstanding which, to some of her particular cronies who knew not Mr. Hays's temper, she would exclaim against him, and told one of them, particularly, above a year before the murder was committed, that it was no more sin to kill him, meaning her husband, than to kill a mad-dog; and that some time or other she might give him a polt.

After this they removed into Tottenham-court-road, where they carried on business for about two years, and then removed into Tyburn-road, a few doors from the house where the murder was committed.

They lived in this place about a year, during which Mr. Hays practised the lending money on pledges, and sometimes worked at his profession, till he was thought to have accumulated a considerable sum of money.

They now removed a little lower in the same road, and took lodgings up two pair of stairs, at the house of Mr. Whinyard, where the horrid murder was afterwards perpetrated.

At the last-mentioned place, Thomas Billings, who was a taylor by trade, and worked in and about Monmouth-street, being Mrs. Hays's countryman, came to see them, and they invited him to lodge with them, which he agreed to do.

On Hays's going out of town for some days, several of his wife's acquaintance took the opportunity of his absence to come and see her, and continued

ed there revelling till just before his expected return.

When Hays came to town, being informed of what had passed, he remonstrated with his wife on the liberties she had given herself: how far her answer might provoke his resentment we cannot determine, but a quarrel ensued, and a blow or two passed between them: this was about six weeks before the commission of murder.

Whether this quarrel might augment Mrs. Hays's inclination to get rid of her husband, or whether she had before absolutely resolved on it, we cannot pretend to say, however it is certain that she soon after proposed to Billings to join with her in murdering her husband, and endeavoured to persuade him thereto by all the arguments she possibly could; she urged, that she daily received abuses and injuries from him, that he was a person of a debauched conversation, and atheistical principles; and "that it was no more sin to murder him than it was to kill a dog, a cat, or any brute beast."

Whilst these proposals were on foot, Thomas Wood, a countryman, a neighbour's son, and a former acquaintance of Mr. Hays and his wife, coming to town, was obliged to forsake his lodgings for fear of being pressed, and not knowing how to secure himself, went to see Mr. Hays, who entertained him very civilly, and he acquainted him with the fears he lay under of being pressed, and carried away to sea on the one hand, and on the other, his being destitute of any business or employment.

Mr. Hays kindly invited him to accept of such conveniency as their lodgings would afford, and promised to use his endeavours to procure him business among his friends and acquaintance.

Wood

Wood thereupon accepted of the offer, and came and lodged with Billings at Mr. Hays's. He had not been there above three or four days before Mrs. Hays, ingratiating herself with him, communicated the design she had formed of murdering her husband.

Wood started at such a proposition, and urged the sinfulness thereof, as well as the ungenerousness of such an action, if he should be any ways instrumental in shortening the life of Mr. Hays, whom he esteemed as his friend, his neighbour, and particular acquaintance.

Whereupon Mrs. Hays replied, "It would be no crime to remove such an atheistical person as he was, for that he was void of any religion or goodness, that he was a murderer, and had killed a man in the country, and destroyed two of her children, of which she had had twelve, one of which was buried under a pear tree, and another under an apple-tree in the country."

By these stories, though totally void of foundation, she endeavoured to spirit up Wood to a compliance with her wicked intentions; and added farther, that she should then be mistress of about fifteen hundred pounds, which he should be master of, if he would assist in the commission of this fact; that she and Billings had consulted on the matter, and only wanted a third person to join in it.

Wood going out of town two or three days after this, returned again on the first of March, when he found Mr. and Mrs. Hays and Billings in company, and being conversing merrily together, Mr. Hays said that himself and another person had drank to the amount of a guinea in wine without being fuddled; upon which Billings offered to fetch six bottles of mountain, on condition that if Hays drank
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it all without being intoxicated, then Billings should pay for it; but if it should happen otherwise the expence should be Hays's.

This proposal being agreed to, Mrs. Hays, Billings, and Wood, went all together to the Braund's-head in New-Bond-street, to fetch the wine; as they were going along, Mrs. Hays reminded them of the proposal she had before made of murdering her husband, that there could not be a better opportunity than when he was intoxicated.

Wood objected to this, and said it would be the most barbarous and inhuman thing imaginable to murder an innocent person, not only in cool blood, but when they had designedly intoxicated him.

In answer to this, Catherine repeated the arguments she had before used to Billings and himself; to prepare them for the wicked deed; and Billings joining in her persuasions, Wood was at length so influenced, that with some little reluctance, he seemed willing to comply with their request.

When they came to the tavern, they called for half a pint of mountain for a taste, which being brought, they agreed with the vintner for seven shillings per gallon, and ordered a gallon and a half of it to be carried to their lodgings, which was accordingly done; and for which Mrs. Hays paid half a guinea.

As soon as they came home they sat down to drinking; or rather to see Mr. Hays drink, under pretence of the wager betwixt Billings and him, who was to drink all the wine, whilst they three had several pots of beer, &c.

Having encouraged Mr. Hays in drinking the wine, and he growing very merry therewith, he sung and danced about the room; but his wife fearing the quantity he had drank would not have the de-

fired effect upon him, she sent away for another bottle, of which he drank also, which effectually answered their expectations, and Mr. Hays became thereby intoxicated and deprived of his understanding.

He, however, made shift to get into the other room, and throwing himself across the bed fell asleep; upon which Mrs. Hays reminded them of the affair in hand, and told them that was the most proper juncture to finish the business.

Hereupon Billings went into the other room, where Mr. Hays lay sleeping, and going to the bedside with a coal-hatchet in his hand, struck Mr. Hays on the back of the head, whereby he broke his skull: the violence of the blow, and the agony of the pain, occasioned Mr. Hays to stamp upon the ground five or six times with his feet, which hung over the bedside; whereupon Thomas Wood came into the room, and struck him twice more on the side of the head with the same instrument, though the first blow had done his business effectually.

Upon the noise Mr. Hays made with his feet, as above-mentioned, Mrs. Springate, who lodged up in the garret, over Mr. Hays's room, came down to enquire the occasion thereof, complaining the disturbance was so great that they, meaning herself, her husband, and a child they had, could not sleep for it. To which Mrs. Hays answered, they had some company there, who having been drinking, were grown merry, but as they would be going immediately, desired her not to be uneasy.

This satisfied Mrs. Springate for the present, and she returned back, and went to bed again, not expecting to hear any thing farther.

When the murderers perceived that Hays was quite dead, they debated on what manner they should dispose

dispose of the body ; and several expedients were proposed to remove it, in order to prevent a discovery ; but that which appeared most feasible was of Catherine's own contrivance.

She said that if the body was carried away whole, it might be known, and a discovery would be thereby made ; and therefore proposed that the head should be cut off, and then the body being removed, could not be known.

This being resolved on, they got a pail, and the murderers carrying a candle, they all three went into the room where the deceased lay, when Catherine held the pail, Billings supported the head, and Wood cut it off with his pocket-knife, having first dragged the body over the side of the bed, that the blood might run into the pail without staining the bed-cloaths, &c.

The head being thus cut off, and the body having done bleeding, they poured the blood into a wooden sink out at the window, and threw several pails of water after it, to wash it away ; notwithstanding which precaution, several lumps of congealed blood were found in the morning by Springate the lodger, who suspecting nothing of the truth, threw them away.

Notwithstanding the precaution of catching the blood in the pail as above-mentioned, there was some spilled upon the ground, and sprinkled about the room in several places : what was most visible they endeavoured to get out by washing, &c. Mrs. Hays herself drying up the blood which fell on the floor with cloths, to conceal the same, and some they scraped off with knives.

However, divers sprinklings of it remained on the floor, and about the walls, some of it even spun up to the very ceiling, and the sprinklings remained visible long after the discovery of the murder.

Mrs. Hays proposed, in order to prevent a discovery, that she would take the head and boil it in a pot till only the skull remained, whereby it would be altogether impossible for any body to distinguish to whom it belonged.

This proposal might have been approved of, only it was not altogether so expeditious : it was therefore proposed, that Billings and Wood should take the same in the pail, and carry it down to the Thames, and throw it in there. This was approved of, and Billings taking the head in the pail under his great coat, went down stairs with Wood to dispose thereof, as had been before agreed upon.

Springate hearing a bustling in Mr. Hays's room for some time, and then somebody going down stairs, called again to know who it was, and what was the occasion of it, it being then about eleven o'clock, to which Mrs. Hays answered, it was her husband who was going a journey into the country, and pretended to take a formal leave of him, expressing her sorrow that he was obliged to go out of town at that time of the night, and her fear lest any accident should attend him in his journey.

Billings and Wood being thus gone to dispose of the head, went towards Whitehall, intending to have thrown the same into the river there ; but the gates being shut, they were obliged to go onwards as far as Mr. Macreth's wharf, near the Horse Ferry, at Westminster ; where Billings setting down the pail from under his great coat, Wood took up the same with the head therein, and threw it into the dock before the wharf. It was expected the same would have been carried away with the tide, but the water being then ebbing, it was left behind.

There were some lighters lying over against the dock, and one of the lighter-men being then walking
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BILLINGS, WOOD, and HAYS, for Murder. 21

on board, saw them throw the pail into the dock ; but it being too dark to discern them clearly, and having no suspicion, he then thought no more of the affair.

They now returned back, and arriving about twelve o'clock, Mrs. Hays let them in, and they found she had been busily employed in washing the floor, and scraping the blood off the walls, &c. They now all went into the fore-room, where Wood and Billings went to bed, and Mrs. Hays sat by them the remainder of the night.

In the morning, the 2d of March, soon after break of day, one Robinson, a watchman, saw a man's head lying in the dock, and the pail near it : he called some persons to assist him in taking up the head, and finding the pail bloody, they conjectured that the head had been brought thither in it. Their suspicions were fully confirmed by the lighter-man, who saw the head thrown in as above-mentioned.

It was now time for the murderers to consider how they should dispose of the body, which Mrs. Hays and Wood proposed to put it into a box, where it might remain concealed till they had a convenient opportunity to remove it.

This being determined on, she brought a box ; but on endeavouring to put it in, they found the box was not big enough to hold it. They had before wrapped it in a blanket, out of which they now took it, and Mrs. Hays proposed to cut off the arms and legs ; and this being done, they again attempted to put it in, but still the box would not hold it ; they then cut off the thighs, and laying the limbs in a box, concealed the same till night.

The finding of Hays's head had in the mean time alarmed the town, and information was giving to the neighbouring justices of the peace. The parish officers

cers did all that was possible towards the discovery of the persons guilty of perpetrating so horrid a murder; they caused the head to be cleaned, the face to be washed from the dirt and blood, and the hair to be combed, and then the head to be set upon a post in public view, in St. Margaret's church-yard, Westminster, that every body might have free access to see the same, with some of the parish officers to attend, hoping by that means a discovery might be made.

The high constable of Westminster liberty, also issued private orders to all the petty constables, watchmen, and other officers of that district, to keep a strict eye on all coaches, carts, &c. passing in the night through their liberty, imagining that the perpetrators of such a horrid fact, would endeavour to free themselves of the body in the same manner they had done of the head.

These orders were executed for some time with all the secrecy imaginable, under various pretences, but without success. The head also continued to be exposed for some days in the manner before described, which drew a prodigious number of people to see the same, but without any discovery of the murderers.

On the 2d of March, in the evening, Catherine Hays, Thomas Wood, and Thomas Billings, took the body and disjointed members out of the box, and wrapped them up in two blankets, viz. the body in one, and the limbs in the other: Billings and Wood first took up the body, and about nine o'clock in the evening, carried it by turns into Mary-bone-fields, and threw the same into a pond, which Wood in the day-time had been hunting for, and returning back again about eleven the same night, took up the limbs in the other old blanket, and carried them by turns to the same place, throwing them in there also.

About

About twelve o'clock the same night they returned back again, and knocking at the door, were let in by Mary Springate; they went up to bed in Mrs. Hays's fore room, and she staid with them all night, sometimes sitting up, and sometimes lying down upon the bed by them.

On this same second of March, one Bennet, an apprentice to the king's organ-maker, going to Westminster to see the head, believed it to be that of Mr. Hays, with whom he had been intimately acquainted; whereupon he went and informed Mrs. Hays that the head exposed to view in St. Margaret's church-yard, was so very like her husband's, that he believed it to be his; upon which she assured him that Mr. Hays was very well, and reproved him for forming such an opinion, telling him he must be very cautious how he raised any such false and scandalous reports, which might bring him into a great deal of trouble. The young fellow was silenced by this reprimand, and said no more about it.

The same day also one Mr. Patrick having been to see the head, went afterwards to the house of Mr. Grainger, at the Dog and Dial in Monmouth-street, with whom Hays and his wife had been intimately acquainted; Grainger's journeymen and other servants being Worcestershire people. Patrick told them he had been to see the head, and that he thought it the most like their countryman Hays of any face he had ever seen.

Billings being then at work, some of the servants replied, that it could not be his, because he being one of Mr. Hays's lodgers, they should have heard of it by him if Hays had been missing, or any accident had happened to him; to which Billings answered, that he was then alive and well, and that he left him in bed when he came to work in the morning.

On

On the next day, March 3, Mrs. Hays gave Wood a white coat, and a pair of leather breeches of her husband's, which he carried to Greenford, near Harrow on the Hill. Mrs. Springate seeing Wood carry away these things, tied up in a white cloth, told Mrs. Hays that Wood was gone down stairs with a bundle; and Hays answered that was only a suit of clothes Wood had borrowed of a neighbour, which he was going to carry home again.

On the 4th day of March Mrs. Longmore going to visit Mrs. Hays, enquiring after her husband, she told her he was gone out to take a walk, and asking Mrs. Longmore what news, she told her all the talk was about the man's head that had been found at Westminster: she seemed to wonder very much at the wickedness of the age, that could commit such barbarous murders, telling her also, that there was a report in the neighbourhood of a woman who was just found in the fields, all mangled and cut to pieces; to which Mr. Longmore answered, she had not heard any thing of such an accident.

On the 5th of March, Thomas Wood returned to town again to Mrs. Hays's for some linen, at which time she gave him a pair of shoes, a pair of stockings, a hat, and a waistcoat, which he knew to have been her husband's, and 5s. in money, and told him she would supply him with money whenever he wanted. She then told him her husband's head had been found, and how it continued to be exposed to view at Westminster, but that no person had owned it.

'Till the 6th of March the head continued to be exposed daily, but no discovery of the murder being made, the officers of the parish consulted with Mr. Westbrook, a surgeon, to have the same preserved in spirits, whereby it might be kept more intire, and the features much better preserved than otherwise, till a discovery could be made of the murderers.

This

This being resolved upon, Mr. Westbrook took charge of the same, and having provided a proper glass and spirits to contain it, the same was put therein, and exposed to the view of such persons as were desirous of seeing it. Notwithstanding all their endeavours to detect the authors of such a piece of barbarity, no discovery could be made, or any light obtained whereby the murderers could be detected.

In the mean time, Mrs. Hays quitted the house where the murder was committed, and removed to Mr. Jones's, a distiller in the neighbourhood, taking with her Wood, Billings, and Mrs. Springate, for whom she paid three months rent at her old lodging.

She now employed herself in collecting as much of her husband's property as she possibly could; and finding among other papers, a bond due to Mr. Hays from one John Davis, who had married his sister, she prevailed on a person to write a letter in her husband's name, which she sent to his mother on the 14th of March, to demand 10l. of the above-mentioned Davis, and threatening to sue him in case of non-payment.

Old Mrs. Hays received the letter, and acquainted her son-in-law Davis with the contents of it; he offered to pay the money on the bond being sent into the country; of which the old gentlewoman acquainted Mrs. Hays by a letter on the 22d of the same month.

During these transactions, numbers of people went to see the head of the murdered person, and among others a poor woman from Kingsland, whose husband had been absent from the day before the head was found: she fancied it bore a resemblance to that of her husband, but was not so positive as to swear to it; her belief however occasioned a report that it was so, and search was daily made after the body, but to no purpose.

In the mean time Mrs. Hays gave it out in the neighbourhood, that her husband had absconded upon account of an unfortunate rencounter he had with another person, wherein he had given his antagonist an unlucky blow which had occasioned his death ; that they had hushed up the matter for some time, by promise of a considerable sum of money he was to pay the widow annually ; but not being able to comply with the same, he was forced to withdraw. This story she endeavoured to propagate with all the industry she possibly could, though, as she pretended, under the greatest secrecy.

Some few days before the discovery of this piece of barbarity, Mr. Joseph Ashby, who was an intimate acquaintance of the deceased, calling to see him, she informed him with a pretended secrecy, of the fictitious story above-mentioned. He asked if the person her husband had murdered was the same to whom the head belonged ; she said, no, that he was buried entire, and that her husband had given a note or bond, to pay her 15l. per annum, in order to compromise the matter, and avoid a prosecution : he then asked her where her husband was gone ; she replied, he was gone over to Portugal with two or three foreign gentlemen. Not being very well satisfied with this story, he went from thence to one Henry Longmore's, (who was cousin to the deceased) and told him the misfortune she had related to him, adding, he did not approve of the account he had received from her, and desired Mr. Longmore to go to her, without taking any notice of his having seen them ; and then by comparing the account she had related to him, with that which she should give to Mr. Longmore, they might be able to make some probable conjecture of the truth of the case.

Accordingly Mr. Longmore went to her, and enquiring for her husband, she replied, she supposed he
had

had heard of his misfortune from Ashby; he answered, he had not seen him for some considerable time past, and was a stranger to his cousin's misfortunes, not knowing or believing that he was indebted to any person.

Mr. Longmore asked if Mr. Hays was in prison for debt; she replied, no, worse than that; and Mr. Longmore asking what could occasion his absconding, and saying, "I suppose he has not murdered any body," she answered that he had, and calling him aside, related his story above-mentioned.

Mr. Longmore enquired which way Mr. Hays was gone; she said into Hertfordshire, and that he had taken four pistols with him for his defence, viz. one under each arm, and two in his pockets. Longmore said it would be dangerous for him to travel in that manner, for he was likely to be apprehended on suspicion of being a highwayman; to which she answered, that it was his usual way of travelling, and the reason of it was because he was once attacked, and had like to have been robbed on the highway, and that once he had been apprehended on suspicion of being a highwayman, but that a gentleman who knew him, coming in accidentally, passed his word for his appearance, in consequence of which he was discharged.

Mr. Longmore told her, that it was very improbable that he should ever have been stopped upon suspicion of being a highwayman, and discharged only by a person's passing his word for his appearance; and asked her how he was supplied with money for his journey; to which she answered, that he had sewed twenty-six guineas into his cloaths, and had about seventeen shillings in his pockets; and told him that Mrs. Springate who lodged in the house was privy to the whole transaction, for

which reason she had paid her rent at her old lodging, the better to engage her secrecy

She now called Springate to testify the truth of what she had said; and seemed to reflect upon her husband's unkind usage of her, which surprized Mr. Longmore more than all she had said to him before, and strengthened his suspicion, because she had always before given him the best of characters for a most indulgent and tender husband.

He then took his leave of her, and returning back to his friend Ashby, upon their comparing their several accounts together, there appeared very great reason to judge some unfair practises towards Mr. Hays; they therefore resolved to go to Mr. Eaton, a life-guard man, who was also an acquaintance of his, and according went to enquire for him, intending he should have gone to her likewise, to have heard what account she would give him.

They went to several places to see for him, but missing of him, they went down to Westminster to see the head at Mr. Westbrook's; when they arrived there, he informed them that the head had been owned by a woman from Kingsland, who believed it to be her husband's, but was not positive enough to swear it, though the circumstances were strong, he having been missing from the day before the head was found: but they desiring to see it, Mr. Ashby went up stairs first to look upon it, and coming down again, informed Mr. Longmore he really believed it to be Hay's head; upon which Mr. Longmore then went up to see the same, and examining it more exactly than Mr. Ashby had done, was entirely of the same opinion.

They then went back to see for Mr. Eaton, and meeting with him at home, told him their suspicion, and the reasons thereof, and desired him to go along with

with them to make farther enquiry into the affair. Eaton invited them to stay to dinner with him, which at first they consented to, but afterwards changing their minds, they all went down to Longmore's house, where they repeated their suspicions, not only of Mr. Hays's having been murdered (which they were on sight of the head fully satisfied of) but also that his wife was privy to the same; and in order to obtain a more satisfactory account, they were consulting that Mr. Eaton should in a day or two go and enquire for her, without taking any notice that he had seen Longmore or Ashby; but in the interim Longmore's brother interposed, saying, that it was apparent their cousin had been murdered, and that there was great reason to suspect that Mrs. Hays, together with Wood and Billings, (who, she had said, drank with him the night before his pretended journey) were either principal actors in, or at least privy to the murder; and that therefore it was his opinion that no delay ought to be admitted, for in two or three days they might be gone from their lodgings, as they certainly would if they entertained any suspicion of a discovery being made.

Hereupon Mr. Longmore and the others went immediately to Justice Lambert, acquainted him with their suspicions, and desired his warrant to apprehend the supposed murderers.

The justice having examined the parties, concurred with them in their suspicions, and issued out a warrant for apprehending Catherine Hays, Thomas Wood, Thomas Billings, and Mary Springate, and likewise sent for proper officers to execute the same, resolving to attend them to see it done.

About nine o'clock at night the parties met, together with two officers of the guards whom Eaton had in the mean time acquainted with the affair.

They

They went all together to Hays's lodgings, and Longmore leading the company, they were going directly up stairs, when Mr. Jones (the master of the house) demanded what they wanted: they soon satisfied him that they had sufficient authority, and immediately went up stairs.

When they came to Mrs. Hays's door, justice Lambert rapped with his cane, and she asking who was there, told them she was in bed; but being bid to open the door or they would break it open, she desired time to put on her cloaths: when she came and opened the door, they entered, and seized her, and seeing Billings sit upon her bed-side without shoes and stockings, she was asked, if he had been in bed with her? she replied, no, but that he had been mending his stockings; to which justice Lambert replied, "He had good eyes that could see to mend his cloaths in the dark," there being neither fire nor candle burning in the room before the door was opened.

They seized Billings and her, and leaving a sufficient guard to attend them whilst they were dressing themselves, Longmore, justice Lambert, and several others, went up stairs to Springate, where they seized her also, and brought them away.

Justice Lambert examined them very strictly with respect to the murder, but they would not acknowledge any thing of it: whereupon they were severally committed, viz. Billings to New-prison, Springate to the Gate-house, and Hays to Tothill-fields Bridewell, for further examination. She desired of Mr. Longmore that she might be admitted to see the head, of which request he acquainted the justice, who directed she should have a sight of it as she came from Tothill-fields Bridewell, to her farther examination.

Accordingly

Accordingly Longmore going with the officers the next day to fetch her from thence to justice Lambert's the coach stopped at Mr. Westbrook's door, and she being admitted into the house, as soon as she entered the room, threw herself down upon her knees, crying out, "Oh it is my dear husband's head: it is my dear husband's head!" and embracing the glass in her arms, kissed the outside of it several times: in the mean time Mr. Westbrook himself came in, and told her, if it was his head she should have a plainer view of it, he would take it out of the glass that she might have a full sight thereof; and accordingly taking the head by the hair, lifted it out of the glass, and brought it to her, when she caught hold of it and kissed it, pretending to be in a very great agony, and begged to have a lock of his hair; but Mr. Westbrook told her he feared she had already had too much of his blood. She fainted away, and on her recovery, was carried to Mr. Lambert's, to be examined by him, and other justices of the peace.

During these transactions, one Mr. Huddle, and his servant, being walking in the fields near Marybone, saw something lying in a ditch, which, on examination, they found to be the legs, thighs, and arms of a man: surprised at this, they the next morning procured assistance, and drained the pond, when they pulled out the body of a man wrapped up in a blanket.

One Crosby, a constable, brought the news of this circumstance, at the very time that the justices were examining Catherine Hays, not doubting but these were the body and limbs of her deceased husband.

Notwithstanding this additional circumstance, she steadily refused to make any confession; but the justices thought proper to commit her to Newgate, whither she was carried in the afternoon, the mob hollowing

hollowing and shouting all the way, to express their joy at her being apprehended.

On the Sunday following, in the morning, Thomas Wood returned to town from Greenford, not having heard of the apprehension of Hays, Billings, or Springate; and going to the former lodgings to enquire for Mrs. Hays, he was told she was removed to Mr. Jones's the distiller; thither he went, and enquiring for her there, was known to be the other person suspected of being concerned in the murder of Mr. Hays; on which the people would not inform him that she and the others were apprehended on suspicion of the murder, but told him she was gone down to the Green-dragon in King-street, that being the house where Mr. Longmore lived; and a man who was present told him he was going to her, if he wanted to see her, he would shew him the way.

Accordingly Wood, being on horseback, followed the person, who led him directly to Longmore's house: at which time Longmore's brother coming to the door, and seeing Wood, immediately laid hold of him, and unhorning him, dragged him into the house, sent for the officers, and charged them with him on suspicion of the murder, from whence he was carried before justice Lambert, who asked him divers questions in relation to the murder, but he would acknowledge nothing, whereupon he was committed to Tothill-fields Bridewell.

Being there he heard the various reports of persons concerning the murder, and judging from those that it was impossible to prevent a full discovery, or evade the proofs that were against him, he made a full confession before justice Lambert: he was committed to Newgate, whither he was carried under a guard of a serjeant and eight soldiers, with muskets and bayonets to keep off the mob, who were

to exasperated against the actors of such a piece of barbarity, that without that caution it would have been very difficult to have carried him thither alive.

On the 28th of March, after Mrs. Hays was committed to Newgate, being the day after Wood's apprehension, Joseph Mercer going to Newgate to see Mrs. Hays, she told him, as he was Thomas Billings's friend as well as her's, she desired he would go to him, and tell him, it was in vain for him longer to deny the murder of her husband, for they were equally guilty, and must both die for it.

Billings hearing this. and that Wood was apprehended, and had fully confessed the whole affair, thought it needless any longer to persist in a denial, and therefore the next day, he made a full and plain discovery of the whole affair.

Wood and Billings, by their confessions acquitting Springate of having any concern in the murder, she was soon discharged from her confinement; but this discovery making a great noise in the town, divers of Mrs. Hays's acquaintance went to visit her in Newgate, and examining her as to the reasons, and motives that induced her to commit the said fact, acknowledgement in general was, that "Mr. Hays had proved but an indifferent husband to her; that one night he came home and struck her; that upon complaining thereof to Billings and Wood, they, or one of them, said, such a fellow (meaning Hays) ought not to live, and that they would murder him for a half-penny;" upon which she took that opportunity to propose the bloody deed; telling them they might kill him if they would.

When she heard that Billings had made an ample confession of the whole affair, and was told that the crime on her side was not murder only, but petit treason, the punishment thereof was to be burnt alive,

alive, she began to shew great concern, and sent word to Billings, that it was very hard he should, by acknowledging every circumstance of the affair, subject her to an indictment for petit treason.

Being told a report that Billings was her son, she would not speak positively to that matter, but said, "He was her own flesh and blood, but how nearly he was related he himself knew not; but she feared before she died it would appear to the world."

When asked the same questions at other times, she would answer in no other terms, but that she would never disown him whilst she lived, and seemed to shew a greater concern for him than for herself, by endeavouring to extenuate his guilt, saying, "He was not so guilty as was believed." She was daily sending from the master's-side, where she lay, to the condemned-hold, in which he was confined, to enquire after his health.

Whilst she lay in custody she was taught to believe that the confession of Wood and Billings could no ways affect her life: this made her vainly imagine that there was no positive proof against her, and that circumstances only would not convict her: for this reason she resolved to put herself upon her trial.

At their receiving sentence, Wood and Billings begged the mercy of the court that they might not be hung in chains, acknowledging the justice of their sentence, and their willingness to atone for the blood they had shed, by laying down their lives for the same: Mrs. Hays desired likewise she might not be burned, saying, she was willing and desirous to die, though innocent of the fact: and having nothing more to offer in their defence, sentence of death as usual was passed upon them, viz. Wood and Billings to be hanged, and Mrs. Hays to be burned alive.

The

The Ordinary's Account.

AFTER sentence they were all remanded back to Newgate, Wood and Billings were confined in the Condemned-hold with the other malefactors under sentence of death, and Mrs. Hays in an apartment peculiar to the women in the like condition.

The great care and anxiety she shewed for Wood, and particularly for Billings, justly gave the world reason to suspect there was some uncommon motives that induced her to commit the fact: she was both before and after her trial sending messengers to, and enquiring after Billings, and out of such money as she either had with her, or was given to her whilst in prison by charitable persons, she would send and give the greatest share of it to them.

Wood being sensibly touched with remorse for the heinousness and barbarity of the fact, shewed all the marks of an unfeigned and sincere repentance; and what with the horror of the action and unwholesomeness of the place wherein he was confined, he contracted a violent fever, which preyed upon him in a very severe manner: he came to the chapel at prayer time so long as he was able, till his distemper prevailing upon him, he was obliged to desist: a reverend clergyman visited him in his illness, who gave him such advice and consolation as the nature of his case would admit of; he confirmed the particulars of the confession he had before made, agreeable to what is here in mentioned, wishing only that he might live a few days longer, not for the sake of prolonging a miserable life, but that purely, by suffering the sentence of the law, he might in some measure atone for his past offences, and by the condign punishment here inflicted upon him, he might be a

terrible warning to all young persons how they offended in like manner; on Wednesday the 4th of May he died in the condemned-hold.

This Thomas Wood, who was about twenty-eight years of age, was born about three miles from Ombersly, between Ludlow and Worcester, of honest, though indifferent mean parents; he had not in his youth been brought up to any regular trade or business, but worked among the farmers, hay-makers, &c. however he was very remarkable for being of a sober settled behaviour in all his actions, by which means he gained entirely the love of the neighbourhood, who could not be induced to entertain an ill opinion of him.

His father dying some years before he left the country, his mother, who then kept a little ale-house at the place before mentioned, being left with several children, he was very dutiful and industrious in assisting her, and by his labour was very instrumental in the support of the family; sometimes doing husbandry, harvest, or labourer's work, according as the same offered; at other times being employed as tapster, in drawing drink in several inns in the country; till some few months before the murder was committed, he had a desire to come to London, which he did, and behaved himself very regularly and diligently in such business as he could get; but not being settled in any certain place of work, he was fearful of being pressed, and recollecting his countryman Hays, he went to see him, to whom relating his apprehensions, and want of business at the same time, Mr. Hays invited him to come and lodge with Billings, and promised to enquire out for business for him: he had not been long there before Mrs. Hays took the opportunity to propose to him the designed intention she had for murdering her husband

band, which at first he refused with abhorrence, but at last was over-persuaded by her artful entreaties; and his being in a great measure intoxicated when the fact was committed, brought him to a compliance.

There are various opinions and conjectures of Thomas Billings as to his birth and parentage; Mrs. Hays herself, some few days before the execution, affirmed him to be her own son, lawfully begotten by Mr. Hays after her marriage with him, and that he was twenty years of age after his execution; that Mr. Hays not loving him when an infant, he was put out to her relations at nurse, and took the name of Billings from his godfather, who was of that name; but as none of Mr. Hays's relations knew or heard of her ever having had any such child, and as it is certain she, even till the very time of her death, prevaricated in several things, there is little reason to believe it to be so.

The only account he could give of himself was, that he believed himself to be a near relation to Mrs. Hays, but by what means he could not tell; that he also believed he was a bastard, but had no other knowledge of his parents, than that a shoemaker in the country passed for his father.

He said he was brought up in the country, and put to school, where he learned to read and write; that he was afterwards put apprentice to a taylor, with whom he served his apprenticeship, at the expiration of which he came to town, and lodging with Mr. Hays, worked in Monmouth-street, and other places in that neighbourhood, till he was drawn into the commission of the fact for which he suffered.

He said farther, that Mrs. Hays never told him any thing of his being her son till after her condemnation, and a few days before the execution.

At

38 BILLINGS, WOOD, and HAYS, *for Murder.*

At the time of his execution he was twenty-two or twenty-three years of age; whereas Mrs. Hays, by her own confession, had been married only twenty-years and eight months. It is not unlikely that Billings was a natural child of Mrs. Hays's, born in her rambles before her marriage, and dropped by her where he was found.

Billings appeared much restrained in his behaviour before Mrs. Hays, and influenced by her; nor was he so ingenuous in his confession after sentence as he had been before, but evaded several questions that were asked him, especially in Mrs. Hays's company; he otherwise seemed to have a great remorse of conscience for the crime he had committed, and appeared penitent and devout during his confinement.

Mrs. Hays shewed more concern for Billings than for herself, and also a surprising fondness for him in all her actions: when in the chapel, she would sit with her hand in his, and lean upon his breast and shoulder, and he on her's; for this she was reprimanded, as being offensive to the spectators, both in regard to the indecency of the action, and it shewed her esteem for the murderer of her husband; notwithstanding which reason she would not desist, but continued the same until the minute of her death; one of her last expressions to the executioner, as she was going from the sledge to the stake, being an enquiry if he had hanged her dear child.

On the Friday evening before the execution, being assured she should die on the Monday following, she attempted to destroy herself; for which purpose she had procured a bottle of strong poison, designing to have taken the same; but a woman who was in the place with her, touching the same with her lips, found it burned them to an extraordinary degree, and spilling a little on her handkerchief, it burned that also:

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upon which, suspecting her intentions, she broke the phial, whereby her design was frustrated.

On the day of her execution she was at prayers, and received the sacrament in the chapel, where she still shewed her tenderness for Billings. About twelve the prisoners were severally carried away for execution; Billings, with eight others, for various crimes, were put into three carts, and Catherine Hays was drawn upon a sledge to the place of execution, where being arrived, Billings with the other eight, after having had some time for their private devotions, were turned off: after which, Catherine Hays being brought to the stake, was chained thereto with an iron chain, running round her waist, and under her arms, and a rope round her neck, which was drawn through a hole in the post; then the faggots intermixed with light brush-wood and straw, being piled all round her, the executioner put fire thereto in several places, which immediately blazing out, as soon as the same reached her, she with her arms pushed down those which were before her, when she appeared in the middle of the flames as low as the waist; upon which the executioner got hold of the end of the cord which was round her neck, and pulled it tight, in order to strangle her, but the fire soon reached his hand, and burned it, so that he was obliged to let it go again; more faggots were immediately thrown upon her, and in about three or four hours she was reduced to ashes: in the mean time Billings's irons were put upon him as he was hanging on the gallows; after which being cut down, he was carried to the gibbet, about a hundred yards distance, and there hung up in chains.

They were executed at Tyburn on the 9th of May, 1726.

BURN.

BURNWORTH, BLEWIT, DICKENSON, BERRY.
LEGEE, and HIGGS, at Kingston-Assizes, for Murder,
April, 1726.

THESE six criminals were committed to Newgate for the murder of Thomas Ball, in the Mint, Southwark, and conveyed to Kingston, March the 30th, 1726.

Will. Marjoram. On the 24th of January last, I and Burnworth, Legee and Higgs, met at an alehouse in White-horse-alley, in Chick-lane, from whence we went in the fields, where having four or five pistols about us, we discharged them several times, to try whether they were in order or not: then we proceeded to Copenhagen-house, where we met with Blewit, Dickenson, Berry, and one Wilson (who is not yet taken.) They told us they had been shooting birds; we shook hands together, and each company spent about eighteen-pence, after which, we joined reckonings, and spent a shilling more. Burnworth went to casting bullets in a mold. He was very expert at it, and when he had made as many as he thought sufficient, he distributed them to the company. The next thing we did, was cleaning our pistols: we had eight or ten of them among us all. From Copenhagen-house, we went to Clack-mary's-hole, where we spent about seven shillings in beer, brandy, and geneva, and then went towards Chick-lane again; but, being met in Turnmill-street by captain Walker, the keeper of New-prison, (from whence Burnworth had made his escape) and, he calling to Burnworth in order to have some talk with him, they came to high words; but Burnworth clapping his hands to his pockets, as if he intended to draw his pistols, the captain left him; but a mob being gathered, and we understanding that the high constable had got some intelligence of us, we all made
our

our way thro' White-horse-alley, swearing we would shoot the first man that followed us. We proceeded thus to Black-friars stairs, where we took water, and landed at Paris garden-stairs, and from thence went to the Gun music-house, in St. George's-field, where we danced with three women till about five in the evening. Soon after we all went from the music-house into the fields, and, it being quite dark, Burnworth proposed to go to Mr. Ball's house and kill him, and asked us, if we would agree to it. We all consented except Higgs, and he declared that he would not go. So the rest of us went, and when we came into Mr. Ball's house, his wife was sitting by the fire. We asked her, where her husband was? and she said, he was not at home; but he unfortunately came to the door at that very time. Burnworth presently took him by the collar, and forcibly brought him into the house, and sat him in a chair by the fire-side: his wife suspecting some mischief, was going forward, and endeavoured to get into the street; but Legee, clapping a pistol to her breast, swore he would shoot her, if she offered to stir. Then Burnworth said to Ball, how could you be such a rogue as to seek my life, by endeavouring to apprehend me last Saturday night? but I'll prevent any such thing for the future; and, with that, he took a pistol out of his waistcoat pocket, and lifting up Ball's arm, he shot him near the left pap, of which wound he presently died. The noise drew a crowd of people about the house, and several of them attempted to come in; but Berry, having a pistol in his hand, swore, he would shoot the first that entered. Then we all went out of the house, and, the crowd still continuing, Blewit fired a pistol over their heads, and that dispersed them. From thence we came to the Faulcon-stairs, and there meeting with Higgs, he

went with us to Pig stairs. When we came to Fleet-street, the company parted, and Higgs and I went together.

Ann Ball, the widow of the deceased. On the 24th of January last in the evening, as I was sitting by the fire-side, the prisoners and others came in two by two, to the number of seven or eight; Burnworth enquired for my husband, I said he was not within, but he was hard by, and I would call him if they wanted him. I was afraid they had some villainous design, and therefore was going out in order to give my husband notice of what company there was in our house, that he might not come home; but some of them cried out, Stop the bitch! Just at that instant my husband unhappily entered the door, upon which they violently dragged him into the house, forced him to sit down in a chair, drew down the sash of the window, and bolted the street-door. My husband then said to Blewit, I hope you design me no harm, for I never intended to do you any. No, says Blewit, and we'll take care that you never shall. Upon which Burnworth stepped up to my husband, lifted up his arm, and clapped a pistol to his breast. I was extremely frightened, and ran out at the back door; but, before I could get to a neighbour's house, I heard the pistol go off. Then the prisoner came to the street-door, discharged another pistol, and said, Now follow us, who dare! and so they went their ways.

Richard Ball, the deceased's brother. I and my brother were drinking at the Standard alehouse, which is hard by his house. And, he being sent for home, I desired him not to stay. He said, he would only cut a pork-stake for supper, and return immediately. But, finding that he staid longer than ordinary, I grew impatient, and was resolved to know
the

the reason of it, and therefore (having an oak stick in my hand) I went to see after him. When I came to the house, looking over the settle that stands in the drinking room, I saw Blewit and Burnworth there, and the house in confusion: Meeting with some insults from Blewit, I made an offer at him with my stick; upon which a pistol was discharged, But I cannot say by whom.

A Woman. I saw Higgs with a pistol in his hand, in and about Mr. Ball's house, at the time he was murdered, for I was then present in the room.

Court. Marjoram! Did you see this woman in the house?

Marjoram. Yes.

Court. You said that Higgs refused to go with you. Can you take upon you to swear that he was not present when the murder was committed?

Marjoram. I cannot swear that.

Captain *Walker*, keeper of New-prison. I met the prisoners in Turnmill-street; as Marjoram has sworn, and I designed to follow them, in order to have apprehended Blewit and Burnworth; but, a gentleman telling me, that they had threatened to shoot the first man that came after them, I declined going.

A Waterman. On the 24th of January last, I carried eight men in my boat, from Black-friars-stairs, to Paris-garden. I know that several of the prisoners were of that company; for I remember most of their faces.

A Prostitute. I danced with the prisoners at the Gun music-house. Legee enquired of me if Mr. Ball ever used that house. I told him No; and then he pulled out a pistol, and said, here's that as shall do his business; and in half an hour afterwards I heard that Mr. Ball was murdered.

44 BURNWORTH, BLEWIT, &c. for Murder.

Mrs. Jones. I keep the Copenhagen-house. On the 24th of January last, the prisoners, and some others, met at my house, where they made bullets, and cleaned their pistols. I was uneasy at it, and wanted them to be gone, for I did not like their company; but they pretended they met there only to shoot birds.

The jury found them all guilty. *Death.*

The Ordinary's Account.

AFTER sentence, which was passed upon them on Monday the fifth of April, they appeared as unconcerned as before. Burnworth diverting himself with drawing pictures of his adventures, and the others in telling stories of their pranks. They had entertained great hopes of making their escape, for which purpose, they had procured several small files, which they concealed in the waistbands of their breeches. Blewit's brother, coming to see him, was over-heard to say, that he had forgot the opium, which gave the keepers a suspicion, and Burnworth's mother coming soon after, they searched her, and found several pistols and saws about her, whereupon she was committed to the stock-house: then the prisoners were all searched, and besides other implements, a large clasp knife was found upon one of them. It appeared upon examination, that their design was to give the persons who guarded them opium in their wine or beer, and to have murdered them at midnight, while they were asleep; after which they intended to file off their own irons, cut the bars of the window, and, as soon as they got out, to set fire to a great stack of bavins behind the prison, and to two or three other places in the town, and so by putting the inhabitants into the utmost consternation

consternation, they themselves in the mean time might have the better opportunity of escaping.

The discovery of this design had no great effect upon them. They appeared as unconcerned and impenitent as ever, and especially Burnworth, who, the next day, told one of the guards, that if he did not take care to see his body decently buried after his execution, he would meet him in a dark entry, and pull his nose off. But on wednesday morning, the day appointed for their execution, they began to be a little thoughtful of their approaching fate, and apply to their devotion with an air of seriousness.

About ten o'clock they were all six brought out of the stock-house, and put into one cart, attended by a company of foot soldiers to Kingston gallows. In their way thither, Blewit happening to see one Mr. Warrick among the crowd, he desired to speak with him; Mr. Warrick coming up to the cart, Blewit fell on his knees, and said, Sir, I must ask your pardon for having once made an attempt on your life, by presenting a pistol at you, which I did upon a suspicion that you knew some things that I had been guilty of, and had given information against me. Mr. Warrick readily forgave him.

When they arrived at the place of execution, Blewit confessed that he had practised thieving for about sixteen years, and that his first fact was stealing a silver spoon in the Old-bailey. He desired that no reflections might be cast upon his mother, for she had often on her knees, and with tears in her eyes, begged of him to leave his vicious courses. Then he named the penitential psalm, set the tune, and repeated each line to his fellow-criminals. He, Dickenson and Berry had provided coffins for themselves, not expecting to be hung in chains.

Dickenson

Dickenfon said he had served as a foot soldier under his father, who, when living, was a lieutenant in the army. He confessed that he once fired a pistol at one Mr. Hunt, in St. George's-fields; but missed him. He desired the spectators to take warning by his suffering, and avoid ill company, which had brought him to that shameful end:

They were executed on the 22d of Feb. 1726-7.

ECCLES RUSSEL, for Misdemeanor, January, 1726-7.

ECCLES RUSSEL, gent. of the parish of St. George the Martyr, was indicted for a misdemeanor, for that he, with three other persons unknown to the jury, on the 20th of Nov: last, about one o'clock in the morning, in a riotous manner, attempted to break and enter the dwelling house of Thomas Benson, Esq; with an intent to take away his wife and goods, to the value of three hundred pounds, and that he assaulted the said Thomas Benson, Esq; with a drawn sword.

Mr. *Benson*. On the 17th of November last, I went to my office, and found a letter directed to me: I could not very well read it, but perceived that it related to some unwarrantable proceedings in my family: going home about five o'clock, I found my wife's two sisters there: I asked the maid where her mistress was? She answered, She is gone to Mrs. Middleton's: I went to Mr. Middleton's but they did not dine at home that day. My wife had called there, though she did not stay, but went to Cunningham's lodgings. On Saturday morning I went out of town, and left word that I should not come home that night: but I came home sooner than was expected, and going into my stables, I saw there

there two strange fellows : there used to be so many Irishmen about my house, that I had ordered that nobody should come there without my knowledge. My wife complained that it was very strange that neither she or her sisters must have any body come to see them. I staid at home all day on Sunday ; and about ten at night, as I was at supper with my wife and her sisters, Joseph Hunt, my groom, desired to speak with me. I went out : he advised me to take care of myself, for he said I was to be murdered that night, and I should find my wife's maid M—— W—— in the stable, and she would tell me more. I went immediately to her : she said I should be murdered, that her mistress had then a pistol in her pocket, and her cloaths were all packed up, in order for her going away between twelve and two. I found her cloaths packed up accordingly, upon which I said to my coachman, Richard, will you stand by me ? and he answered, Yes. I went to the house of a gentleman to desire his assistance, but he was gone out of town. I looked for my own pistols, but could not find them, for they had been carried away to Cunningham. I sent to Mr. Harcourt, of the Crown-office, to beg that he would come immediately ; but he was not at home. Going then into my own parlour, I found there my mother, my sister, and my wife. I seized a pistol in my wife's pocket, and then told them the story, and fetched in her packed-up cloaths. Then I sent to Robert Dags, in Shoreditch, desiring him to come to my assistance, and bring what arms he could, or I should be murdered. Robert Dags came about one o'clock. One of the maids, whom I had sent to watch above stairs, said they were come ; and presently afterwards I heard a noise at my door as if some body had been unlocking it. I rushed out, and perceived a man
about

about eight feet from the door, stepping hastily across the street, I followed, and seized him by the collar, and turning his face to the light, I saw it was the prisoner, upon which I pushed him from me, and told him he was not the villain I wanted. Had it been Cunningham, I believe I should have shot him, for I had a loaded pistol in my hand. As I was turning back I heard a noise, and thought I saw Cunningham. I followed down the street, but could not find him. When I returned, my coachman had got hold of the prisoner, who, since I left him, had been back to my door, and had drawn his sword. He talked then of having satisfaction of the little man in black; but I had heard him say nothing of it before.

Pebe Lewis. Thomas Ashton, a porter, lodged at my house. A little girl lay in the same room as he lay in. This girl hearing him tell his wife, that he had carried letters to Mr. Benson's lady; that Mr. Cunningham used to visit her, and that he being at supper there one night, when Mr. Benson came home, they put him into a closet: the girl, I say, hearing all this, acquainted me with it, and that induced me to send to Mr. Benson the letter he received concerning his wife and family.

M—— W——. I knew of Mr. Cunningham's coming to my mistress a-nights after my master was abed, and Cunningham told me, that he intended to come and take away my mistress that night, between twelve and two; and he gave me a loaded pistol to give my mistress, at her own desire. He said, if he found any resistance, he would bind and gag all the servants in the house, and if he murdered them he did not care. He added, that he had never a servant then at home, for Mr. Russel was not come back from hiring the yacht that was to carry my mistress

mistress away. Upon hearing this, I began to be very uneasy for fear murder should be committed in case of resistance, and therefore intended to acquaint my master of it; but, not having an opportunity of speaking with him, I told the coachman and groom of it, and that I had delivered a pistol to my mistress, which I had from Mr. Cunningham. This is the pistol. The prisoner knew my mistress very well; he had frequently brought letters for her from Mr. Cunningham. He had often been at our house: and he went down to Tunbridge on Mr. Cunningham's account, and spoke with my mistress there.

Mr. *Delany*. I made this pistol, my servant sold a pair of them to Mr. Cunningham. I have known the prisoner two or three years, and always took him to be Mr. Cunningham's companion, and not his servant.

Richard Kennedy, the coachman. The first knowledge that I had of this affair, was about a week before the attempt to carry off my mistress: for going into Hertfordshire with my mistress to see the child, we came back to the Crown, at Ware, in the evening; and I saw two strange horses in the stable. At supper time, as I was sitting in the kitchen, I saw one Clouds, who, I mistrusted, was Cunningham's servant. We drank wine together, but he would not let me pay any thing. In the morning I put my mistress forward to go home. We baited at the Old Bell, at Edmonton. As soon as we got there, up came Mr. Cunningham and Clouds. Cunningham went in doors, and Clouds came to me; and he having ordered that the foot-boy should not come into our company, we drank wine again, and still he would not let me pay any thing. When I got upon my coach-box, he gave me ten shillings, I thanked him, but did not know what it was for.

On Sunday, when I saw M—— W—— carry out several bundles, I threatned her. At the time when she told me they would come to take my mistress away, I saw Ashton the porter by my master's house, and asked him what he did out at that time of night? He said, he was going home. Just after he left me, I think I heard St. Paul's clock strike one, and I went in, but I had not been in half an hour before the waits came, and played at our door; and the cook, who was placed in the drawing-room, told me there were three or four men looking in at the iron rails. When I went out I saw several people about the door, but knew none of them except the prisoner, though there were four who did not belong to the waits. The prisoner drew his sword, and threatened Mr. Benson; but we had fire-arms, and seized the prisoner, and made him surrender his sword. He pretended not to know Mrs. Benson when she was got out of the parlour window, upon the iron rails; for he said, who is the lady? I'll save her honour: and at the same time offered her his hand.

Jane Ramshaw. I did not see Mr. Cunningham, but I saw the prisoner, he was in black cloaths, and white stockings. He had been walking up and down the street, twice on the other side of the way, and once he came close by our window, and looked in at the rails. And when my mistress got out of the parlour-window upon the rails, he said to her, dear madam, what makes you out? Don't make a noise, you shall not be hurt; and then gave her his hand; but I took his hand from her, and the coachman took her down.

Mr. *Benson*, the prosecutor's brother. My brother sent me to Shoreditch for Robert Dags, I brought him with me, and we had been come to my brother's house

house but a few minutes before the attempt was made. I saw the prisoner cross the way, and when Mrs. Benson was upon the rails, he gave her his hand. His sword was drawn at the same time, and he said the first who came to oppose him was a dead man.

— *Dags.* I saw Mrs. Benson on the rails, and the prisoner said, save her honour. He had his sword drawn.

Sarah Keate, Mrs. Benson's sister. A diamond buckle was sent to Mr. Cunningham. I afterwards saw the cloaths packed up, and my sister intended to go away that night with Mr. Cunningham, whom I had seen in her company. I saw him one night in the chamber where she lay, and she ordered me to go out of the room. But I never saw him at Mr. Benson's house, when Mr. Benson was at home, except once, and then he came to return thanks for some favour that Mr. Benson had done him. I have seen the prisoner six or seven times at my sister's; I believe he brought letters to her from Mr. Cunningham, for I have heard some of those letters read, and they contained professions of love to her. The prisoner never delivered any message to me, but to M—— W——. I have seen him at my sister's lodgings at Tunbridge.

The Prisoner's Defence.

Mrs. Hammond. The prisoner came to my house the Monday before this disturbance, and agreed with me for a lodging for a gentleman that would be private; and told me, that there would not be above two or three persons come to him.—I insisted that no woman should come to him, I was cautious in that respect, in regard to the reputation of my house.

The gentleman came next day, and invited me to dine with him. He told me, that he was in debt, and desired that I would not let in any bailiffs. At one that morning on which the disturbance happened, I was awaked by the opening of the door, upon which I slipped on my cloaths, and went down. Clouds was then in my entry, and Cunningham and Ashton were above stairs.

Mrs. Benson was examined by the consent of both parties.

Mrs. Benson. I am not positive that the prisoner was privy to my design of going away with Mr. Cunningham. He had resolved to carry me away, but had not particularly named who was to assist him. Indeed, when I was upon the iron rails, the prisoner came up and said, nobody should hurt me. He had likewise brought me letters and messages from Mr. Cunningham, and knew me very well. I was several times with Mr. Cunningham at his lodgings, and Mrs. Hammond knew of it, and saw me there.

One of the waits deposed, that one of their company had half a crown given him to play a tune under Mr. Benson's window; that they were repulsed by Mr. Benson's servants, and that thereupon the prisoner followed them, and endeavoured to persuade them to go back again.

The jury found the prisoner guilty of both indictments, and the court ordered that he should pay a fine of 300*l.* suffer one year's imprisonment, and find sureties for his good behaviour for three years more.

RICHARD

RICHARD SAVAGE, JAMES GREGORY, and WILLIAM MERCHANT, *for Murder, Thursday, December, 7, 1727.*

RICHARD SAVAGE, JAMES GREGORY, and WILLIAM MERCHANT, were indicted for the murder of JAMES SINCLAIR; Savage by giving him with a drawn sword, one mortal wound in the lower part of the belly, of the length of half an inch, and the depth of nine inches, on the 20th of November last, of which mortal wound he languished till the next day, and then died: and Gregory, and Merchant, by being present, aiding, abetting, comforting, and maintaining the said Savage, in committing the said murder.

At the request of the prisoners, the witnesses against them were examined a-part.

Mr. *Nuttal*. On Monday the 20th of November, about eleven at night, the deceased, and Mr. Leme-ry, and his brother, and I, went to Robinson's coffee-house, near Charing-cross, where we staid till one or two in the morning. We had drank two three-shilling bowls of punch, and were just concluding to go when the prisoners came into the room. Merchant entered first, and turning his back to the fire, he kicked down our table without any provocation. What do you mean, says I? And what do you mean? says Gregory. Presently Savage drew his sword, and we retreated to the farther end of the room. Gregory drawing too, I desired them to put up their swords, but they refused. I did not see the deceased draw, but Gregory turning to him, said, villain deliver your sword: and, soon after, he took the sword from the deceased. Gregory's sword was broke in the scuffle; but, with the deceased's sword, and part of his own, he came and demanded mine:

mine; and, I refusing to deliver it, he made a thrust at me. I defended myself. He endeavoured to get my sword from me; but he either fell of himself, or I threw him, and took the deceased's sword from him; and three soldiers coming into the room, they secured him. I did not see Savage push at the deceased, but I heard the deceased say, I am a dead man! and soon after the candles were put out. I afterwards went up to the deceased, and saw something hang out at his belly, which I took to be his caul. The maid of the house came in, and kneeled down to suck the wound, and it was after this that the soldiers came in, and I and Gregory were carried to the watch-house,

Gregory. Did not I say put up your swords?

Nuttal. There might be such an expression, but I cannot call to mind when it was spoke.

Mr. Lemery. I was with the deceased, and Mr. Nuttal, and my brother, at Robinson's Coffee-house, and we were ready to go home, when somebody knocked at the street-door. The landlady opened it, and let in the prisoners, and lighted them into another room. They would not stay there, but rudely came into ours. Merchant kicked down the table. Our company all retreated. Gregory came up to the deceased, and said, G— d— ye, you rascal, deliver your sword! swords were drawn. Savage made a thrust at the deceased, who stooped, and cried, oh! At which Savage turned pale, stood for some time astonished, and then endeavoured to get away; but I held him. The lights were then put out. We struggled together. The maid came to my assistance, pulled off his hat and wig, and clung about him. He, in striving to force himself from her, struck at her, cut her in the head with his sword, and at last got away. I went to a night cellar, and called two

or

or three soldiers, who took him and Merchant in a back court. When Savage gave the wound, the deceased had his sword drawn, but held it with the point down, towards the ground, on the left side. As to Merchant, I did not see that he had any sword.

Mr. Nuttal again. Nor I: nor did I see him in the room after the fray began. But after the candles were put out, he was taken with Savage in a back court.

Jane Leader. I was in the room, and saw Savage draw first. Then Gregory went up to the deceased, and Savage stabbed him; and, turning back, he looked pale. The deceased cried I am dead! I am dead! I opened his coat, and bid the maid-servant suck the wound. She did, but no blood came. I went to see the deceased upon his death-bed, and desired him to tell me how he was wounded. He said, that the wound was given him by the least man in black. That was Savage, for Merchant was in coloured cloaths, and had no sword,—and that the tallest of them, which was Gregory, past, or struck his sword, while Savage stabbed him. I did not see the deceased's sword at all, nor did he open his lips, or speak one word to the prisoners.

Mrs. Enderby. I keep Robinson's coffee-house. When I let the prisoners in, I perceived they were in drink. I shewed them a room. They were very rude to me. I told them if they wanted any liquor they should have it; but, if they did not, I desired their absence. Upon which one of them took up a chair, and offered to strike me with it: they went into the next room, which is a public coffee-room in the day-time. Merchant kicked down the table. Whether the other company were sitting or standing at that table, I cannot be positive; but it

is a folding table with two leaves, and there were two other tables in the same room. Swords were drawn. The deceased was wounded, and Savage struggled with the maid-servant, and cut her over the head with his sword.

Mary Rock, the maid. My mistress and I let the prisoners into the house. My mistress shewed them a room. Merchant pulled her about very rudely, and, she making resistance, he took up a chair, and offered to strike her with it. Then asking who was in the next room? I answered, some company that have paid their reckoning, and are just a going, and you may have the room to yourselves if you'll have a little patience: but they would not, and so they ran in. I went in not long after, and saw Gregory and Savage with their swords drawn, and the deceased with his sword in his hand, and the point from him. Soon after, I heard Jane Leader say, poor dear Sinclair is killed! I sucked the wound, but it would not bleed. Savage endeavoured to get away, but I stopped him. I did not see the wound given to the deceased, but I afterwards saw the encounter between Mr. Nuttal and Mr. Gregory.

Mr. Taylor, a clergyman. On the 21st of November I was sent for to pray by the deceased, and, after I had recommended him to the mercy of Almighty God, Mr. Nuttal desired me to ask him a few questions; but, as I thought it not belonging to my province, I declined it. Mr. Nuttal however, willing to have a witness to the words of a dying man, persuaded me to stay while he himself asked him a question. And then, turning to the deceased, he said, Do you know from which of the gentlemen you received the wound? the deceased answered, from the shortest in black, (which was Mr. Savage) the tallest commanded my sword, and the other stabbed me.

Rowland

Rowland Hildernefs, watchman. I came to the room just after the wound was given, and then I heard the deceased say, I was stabbed barbarously before my sword was drawn.

John Wilcox, another watchman. I saw the deceased leaning his head upon his hand, and heard him then say, I am a dead man, and was stabbed cowardly.

Mr. Wilkey, the surgeon. I searched the wound, it was on the left side of the belly, as high as the navel. The sword had grazed on the kidney, and I believe that wound was the cause of his death.

Court. Do you think the deceased could receive that wound in a posture of defence?

Mr. Wilkey. I believe he could not, except he was left-handed.

The Defence of the Prisoners.

Mr. Gregory said, That the reason of their going into that room, was for the benefit of the fire; that the table was thrown down accidentally; that the house bore an infamous character, and some of the witnesses lay under the imputation of being persons who had no regard to justice and morality.

Mr. Savage, having given the court an account of his meeting with Gregory and Merchant, and going with them to Robinson's coffee-house; made some remarks on what had been sworn by the witnesses, and declared, that his endeavouring to escape, was only to avoid the inclemencies of a gaol.

And then the prisoners called their witnesses.

Henry Huggins, *Thomas Huggins*, and *Robert Fish* deposed, That they were present at the latter part of the quarrel, and saw *Mr. Nuttal* engaged with *Mr. Gregory*, and struggling with a sword.—This only

NUMB. XII.

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confirm

confirmed part of Nuttal's evidence.—They added, that the coffee-house was a house of ill-fame.

Mary Stanley deposed, That she had seen the deceased in a quarrel, before that in which he was killed; that Mr. Nuttal and he were very well acquainted, and that she had seen Mrs. Nuttal and Mr. Leader in bed together.

John Pearse deposed, That Jane Leader told him, that, when the swords were drawn, she went out of the room, and did not see the wound given; that she was a woman of ill reputation, and that the coffee-house had a bad character.

Daniel Boyle deposed, That the deceased bore the character of an idle person, who had no settled place of residence.

John Eaton deposed, That he had known the deceased about two months, and had heard that his character was but indifferent.

Mr. Rainby deposed, That, the morning after the accident, he went to the coffee-house to enquire for Mr. Merchant, and then heard Mr. Nuttal say, that, if he had any of the prisoners in a convenient place, he would cut their throats, provided he could be sure of escaping the law.

Mr. Cheesborough deposed to the same effect.

Mr. Nuttal. Being moved with the barbarous treatment my friend had met with, I believe I might say, That if I had them in an open field, I would not have recourse to the law, but do them justice myself.

Then *Mr. Nuttal* called some gentlemen, who deposed, that he was a man of reputation, civility, and good manners.

Several persons of distinction appeared in behalf of the prisoners, and gave them the characters of good-natured, quiet, peaceable men, and by no means inclinable to be quarrelsome.

And

And the prisoners then said, they hoped the good characters which had been given them, the suddenness of the unfortunate accident, and their having no premeditated malice, would entitle them to some favour.

The court, having summed up the evidence, observed to the jury, That as the deceased and his company were in possession of the room, if the prisoners were the aggressors by coming into that room, kicking down the table, and immediately thereupon drawing their swords without provocation, and the deceased retreated, was pursued, attacked, and killed in the manner as had been sworn by the witnesses, it was murder not only in him who gave the wound, but in the others who aided and abetted him. That as to the characters of the prisoners, good character is of weight where the proof is doubtful, but flies up, when put in the scale against plain and positive evidence: and, as to the suddenness of the action; where there is a sudden quarrel, and a provocation is given by him who is killed, or where suddenly and mutually persons attack each other and fight, and one of them is killed in the heat of blood, it is manslaughter. But, where one is the aggressor, pursues the insult, and kills the person attacked, without any provocation, tho' on a sudden, the law implies malice, and it is murder.

The trial lasted about eight hours. The jury found Richard Savage and James Gregory guilty of murder, and William Merchant guilty of manslaughter.

On Monday, December 11, being the last day of the sessions, Richard Savage, and James Gregory, with four others capitally convicted prisoners, were brought again to the bar to receive sentence of death: and being severally asked (as is usual on

such occasions) what they had to say, why judgment should not be passed upon them, Mr. Savage addressed himself to the court in the following terms :

It is now, my lord, too late to offer any thing by way of defence or vindication ; nor can we expect ought from your lordships, in this court, but the sentence which the law requires you as judges to pronounce against men of our calamitous condition. But we are also persuaded, that as meer men, and out of this seat of rigorous justice, you are susceptible of the tender passions, and too humane not to commiserate the unhappy situation of those, whom the law sometimes perhaps, exacts from you to pronounce upon. No doubt you distinguish between offences, which arise out of premeditation, and a disposition habitual to vice or immorality, and transgressions, which are the unhappy and unforeseen effects of a casual absence of reason, and sudden impulse of passion ; we, therefore, hope you will contribute all you can to an extension of that mercy, which the gentlemen of the jury have been pleased to shew Mr. Merchant, who (allowing facts as sworn against us by the evidence) has led us into this our calamity. I hope this will not be construed as if we meant to reflect upon that gentleman, or remove any thing from us upon him, or, that we repine the more at our fate, because he has no participation of it : no, my lord ! for my part, I declare nothing could more soften my grief, than to be without any companion in so great a misfortune.

Mr. Merchant was burnt in the hand.

At the end of the next sessions, which was on Saturday the 20th of January, Richard Savage, and James Gregory were admitted to bail, in order to their pleading the king's pardon. And, on the last day of the following sessions, being the 5th of March,

March, 1727-8, they accordingly pleaded his majesty's pardon, and their bail were discharged.

MARY HENDRON, MARGARET PENDERGRASS,
and JOHN WHEELER, for stealing an Heiress, May,
1728.

MARY HENDRON, Margaret Pendergrafs, and John Wheeler, were indicted on the statute of 3 Hen. VII. for aiding and abetting Richard Ruffel, in forcibly and unlawfully marrying and defiling Sybil Morris against her will, she being a maiden, and having an estate, March 5, 1727 8.

Ann Holliday, servant to Mrs. Morris. In February last, the prisoner, Mrs. Hendron asked me to bring my young mistress to see her; and upon her importunity I took Miss Morris to her house, and, when we came there, Mrs. Hendron prevailed with us to go with her to the house of Mrs. Pendergrafs, the other prisoner, and at this house we saw Richard Ruffel. But nothing extraordinary happened at that time, only Mrs. Hendron endeavoured to possess us with a good opinion of Ruffel, by telling us, that he was a rich merchant in the city, and traded in oils and silks, and other goods to a great value. After this Hendron persuaded us to make her another visit; but, as we were going to her house, we met one Peggy Johnson, and Kitty Pendergrafs, daughter to Pendergrafs the prisoner, and they told us, that Mrs. Hendron was not at home, but wanted to see us, and desired that we would come to her at a house in New-round-court, in the Strand. Miss Morris was against going thither, but she and I were pulled along by Peggy Johnson, and Kitty Pendergrafs, to the house of one Mophew, or Murphey,
in

in Round-court. We found two of the prisoners, Hendron and Pendergrafs, standing at the door, and they obliged us to go in, pulling Miss Morris, through a long dark entry, into a room where the windows were shut up with shutters; but there were candles in the room, and a great deal of company. Miss Morris, being surprized, would have turned back; but she was prevented by Hendron, who locked the door upon us; and, upon our telling her we would cry out, she said it would signify nothing, for nobody could hear us. Immediately Ruffel came up to Miss Morris, and demanded her christian name, but she refused to tell him, and appeared in a great fright. There was present a person in the habit of a clergyman. He came up to them, and, Miss Morris being ready to faint, Hendron, and one who officiated as clerk, held her up by force, while the parson repeated the ceremony. Miss Morris made no answer to the questions that were put to her, but only said, that she would not be married: but Hendron, and Pendergrafs said, that she did answer, and that she came there to be married, and was only faint-hearted; though all the time she was in the utmost confusion, and had even lost the power of speech, and had not strength to support herself under such usage. However, the parson proceeded, and went through the ceremony; and after this, Hendron, and others, dragged her up stairs into a bed-chamber, the window-shutters of which were likewise shut close. Then Kitty Pendergrafs, and Peggy Johnson pulled off her cloaths by force, while Hendron held her hands; and then they forced her into bed, and Hendron held her down in the bed. One Mrs. Rigg was present while all this was done. Then Hendron commanded me to go down stairs, which I was obliged to do, though I complained it was a shame

shame they should use my young mistress so. As I was going down, I met Russel upon the stairs undressed. He went up into the chamber where Miss Morris was a bed, and then Hendron left them together, and locked the door and came down. After this, the prisoners and the rest of the company were very merry together for about half an hour; when Russel and Miss Morris came down stairs. They invited her to eat some supper with them, but she refused, and would go home; and Russel went part of the way with us.

Court. What did Margaret Pendergrafs do?

Ann Holliday. She was at the door with Mary Hendron when Miss Morris was dragged through the dark entry: and she was in the room all the time that the pretended marriage was performing, and consented to, and commended what was done: she told Miss Morris that she must be married to Russel, for it would be to her advantage. She came up stairs while her daughter Kitty assisted in forcibly undressing Miss Morris, and staid in the chamber a little while, and then went down again into the room where the supper was.

Hendron. Did not you take the measure of Miss Morris's finger, in order to have a ring made to it? And did not you bring that measure to my house?

Ann Holliday. I did not take measure of her finger.

Hendron. I can prove you brought a measure to my house.

Ann Holliday. Indeed I did carry a measure to her, as the measure of Miss Morris's finger; but it was without Miss's knowledge; for I once mentioned such a thing to her, but she would not suffer it. I was betrayed to that indiscretion by Hendron, who by her insinuations, had made me believe that
my

my young mistress's marriage to Russel would be to her advantage.

Court. Do you know any thing of the other prisoner, John Wheeler?

Ann Holliday. I saw him at supper with the rest of the company: but he was not in the room at the time of marriage, nor did he appear when any violence was acted upon my young mistress.

Sybil Morris. I was carried to the house in Round-court, as the last witness has sworn: Hendron was the principal person concerned in the management: she helped to hold me up in the time of the ceremony. I did not answer to the matrimonial questions. I was dragged up to the chamber, and forced to bed against my will, and there Richard Russel, taking advantage of my surprize and weakness, had the carnal knowledge of me, and gave me the foul distemper: I resisted to the utmost of my strength, and cried out; but he stopped my mouth, and held me down in bed, and overcame me. Margaret Pendergrafs was present at the marriage, and assisted in it, and consented to all that was done. She was a little while in the room at the time when the others were pulling off my cloaths by force. But, as for Wheeler, I do not remember that I saw him in the room at the marriage, or in the bed-chamber, or that he was privy to any of the violence.

Mr. Allen. I officiated as clerk, and provided the parson by the persuasion and importunity of Wheeler, who had been with me four or five times on that account, before I would consent to have any thing to do in it. He told me it was to marry a gentleman to a servant maid, with whom he was fallen in love. At last, when I had agreed to it, he appointed me to bring the parson, and meet him at the Seven-stars, in Cross-street, Long-acre. The parson's name was

Evans;

Evans; he was one of your Fleet parsons. We met accordingly, and from the Seven-stars, went to the house of one Murphey, in New-round-court in the Strand, where we found Richard Ruffel, and his accomplices. When we came to perform the ceremony Miss Morris trembled, and I could not perceive that she gave any consent, but on the contrary refused it; upon which I told the parson he might shut up his book, for we were not like to make a wedding of it. But some of the company saying that she answered to the questions, the parson, who was not willing to lose a job, went through stich with the form of matrimony. Margaret Pendergrafs in particular affirmed, that Miss Morris spoke, and that she came thither on purpose to be married, and was only faint-hearted. But for my part, I heard her say, plain enough, that she would not be married, and yet for all that, the parson would go on with the ceremony. After it was over we left them.

Jonathan Daniel. I live at the Seven Stars in Cross-street. The parson and clerk and Wheeler came to my house, and went up stairs, and by some passages that I took notice of, I thought there was some roguery going forward. They went away together, and, soon after they were gone, Margaret Pendergrafs came and enquired for such people. I told her they had been there, but were gone. She stamped with her foot, and she said she had rather have given five pounds than have been disappointed.

Mr. Morris, father to Sybil Morris. My daughter has an estate in Southampton-street, Covent-garden. At present it is 20 l. a year clear to her, but will be worth more. It was left her by her deceased uncle. This mock marriage was on a Tuesday,

day, and on the Thursday following a gentleman, pretending to be a friend to Ruffel, came and told me, that my daughter was married. I was surprised at the news, and went immediately to my daughter, and asked her about it. She told me that she had been basely imposed upon, and barbarously used, but through fear and shame had not acquainted me with it. She is a young girl between 16 and 17 years of age. Ruffel himself came to me on the Saturday, but I would not have any conversation with him; and since that time he has absconded.

The gentleman who carried the news to Mr. Morris deposed, That he was sent on that message by Margaret Pendergrafs.

As it did not appear that Wheeler was privy to any force that was used before, at, or after the marriage ceremony, but only that he was employed by Pendergrafs to procure a parson, in which he might possibly be imposed on by her, the jury acquitted him; but found Mary Hendron and Margaret Pendergrafs guilty of the indictment. *Death.*

The Ordinary's Account.

MARY HENDRON and Margaret Pendergrafs, women of middle age, had husbands and children, and, being convicted of the same crime of aiding and abetting Richard Ruffel, in forcibly and unlawfully marrying and defiling Sibyl Morris against her will. Both of them owned that they had concurred in advancing that marriage, only they differed from the witnesses against them, in giving account of the most material, and which proved the most dangerous circumstances to them; alledging, that the young woman was no way forced, but rather much more desirous than either they or Ruffel were, to have the marriage

marriage solemnized : and that however unfortunate the event had been, they had no ill intention, and were ignorant of the strictness of the law in such cases. They declared, that they had always been sober industrious women, and that, excepting this misfortune, they had never done any thing that was criminal. When they came to the chapel they were very grave and modest, as they were in the cell when I visited them; for Mrs. Pendergrafs was much of the time afflicted with sickness, and heard prayers with attention. They said, they died penitent for their sins, believing that they should be saved through the merits of Jesus; and they forgave all injuries done them, as they expected forgiveness of God. They were of the Romish communion:

At the place of Execution Mrs. Pendergrafs said she forgave all the world; and Mrs. Hendron reflected on Miss Morris, on account (as she thought) of the severity of the prosecution.

They were hanged at Tyburn, on Monday, May 20, 1782.

The Reverend THOMAS WOOLSTON, B. D. *for Writing and Publishing four Books on Our Saviour's Miracles, March, 1728-9*

AT the court of King's-bench, in Guild-hall, on Monday, March 9, 1729, Thomas Woolston, B. D. was tried on four informations, for publishing four books on the miracles of our Saviour.

The jury were sworn to try the issue between the king and Thomas Woolston, defendant.

The counsel for the king opened, That Thomas Woolston, some time fellow of Sidney-college in Cambridge, had written a wicked and blasphemous

mous book, which he caused to be printed and published on the first of May last, intituled, A Discourse on the Miracles of our Saviour: insinuating, that the miracles of Jesus Christ might be done by the power of magic; to the scandal of our holy religion, and bringing into contempt the life and doctrines of our Lord and Saviour. That the defendant was once esteemed a learned gentleman, and a clergyman; but, thinking his learning too great for him to remain undistinguished; he fell into a crime that rendered him justly liable to the censure of all good christians: by representing the scripture accounts of our Saviour's miracles as so many romances, idle tales and rhodomontades: vile absurdities, incoherences and contradictions, instead of being evidences of his divinity. And that tho' the defendant now maintains such blasphemous notions, he once entered into orders, and consequently then believed, or at least pretended to believe, the scripture narration of our Lord's miracles, as they are believed by all true christians.

Another of the king's counsel observed, that this was the most blasphemous book that ever was published; a book which our Saviour is compared to an impostor, a wizard, and a conjurer; and the gospel turned into ridicule, the literal sense of it, represented as an idle romance, and St. Austin quoted as encouraging such notions: the author affirming, that St. Austin had said, such works as Jesus did, might be imputed to, and effected by magic; when indeed the author has mistranslated the quotation, and, it may be presumed, wilfully, and with a design to impose upon the ignorant; for he being a man of learning, must know, that he varied from the sense of the Latin, which he has placed in the margin, and in which St. Austins does not say, The works of

Jesus

Jesus might have been performed by magic; but that infidels might suggest such a thing.

Mr. *Tuskin* deposed, That on the 2d of May last, he bought this book, intituled, A discourse on the Miracles of our Saviour, of the defendant, at his house in the Old-Jewry, and gave him a shilling for it.

The counsel of the defendant said, That as to the defendant's publishing the book, he would not dispute it, but he could not agree that it was done with a blasphemous design, and to bring our religion into contempt, but to put it upon a better footing, by shewing that our Saviour's miracles were to be understood in an allegorical and not in a literal sense.

To this it was answered, that if his design had been such, he would have endeavoured to prove by a serious discourse and sound argument, that they were not to be understood in a literal sense.

The counsel for the defendant replied, That by several passages in the book it appeared, that the author had no such design as was laid to his charge: that he expressly declares, That what he did was not for the service of infidelity, which had no place in his heart, but for the honour of the holy Jesus. That he believed upon good authority, the authority of the fathers, that some of the miracles of our Saviour were only related as prophetic and parabolical narratives of what would be mysteriously and more wonderfully done by him, and he concludes his first discourse with telling the reader, that he intends, with God's leave, to go on with his undertaking, to the honour of the holy Jesus, our spiritual Messiah, to whom he ascribes glory and praise for ever. That from these, and many other passages of the like import, the author's aim seemed to be, as was said before, to set our religion upon a better footing, by explaining some passages of the gospel in

in an allegorical sense, in order to lead men into (what he apprehends to be) the right way of applying the scriptures.

In return to this, it was urged, that what he had written was too plain to be misunderstood, and if the author of a treasonable libel should write at the conclusion of it, God save the king! it would not excuse him.

Then part of the book was read, beginning with his account of our Saviour's driving the buyers and sellers out of the temple.

"I have read, says he, in some modern author, whose name does not occur to my memory, that this was, in his opinion, the most stupendous miracle that Jesus ever wrought, and in truth it was a most astonishing one, if literally true; and Jesus must appear more than a man, he must put on an awful and most majestic countenance to effect it. It is hard to conceive how any one, in the form of a man, and a despised one too (and we don't read that Jesus changed his human shape) with a whip in his hand, could execute such a work upon a great multitude of people, who were none of his disciples, nor had any regard for him. Supposing he could, by his divine power, infuse a panic fear into the people, yet what was the reason that he was so eaten up with zeal against the profanation of that house, which he himself came to destroy, and which he permitted, I may say commanded, to be filthily polluted not long after."

The defendant then brings several quotations from Origen, St. Hillary, St. Ambrose, St. Jerome, St. Augustine, Theophylact, and Erasmus, in order to prove that they understood this miracle in an allegorical sense.

The second miracle he takes notice of is, that of casting the devils out of the madman, or madmen, and permitting them to enter into the herd of swine, which

which thereupon ran down a precipice, and were all choaked in the sea.

“ To exorcise, or cast devils (says he) out of the possessed, without considering the nature of such a possession, or the nature and power of the devil, we will allow not only to be a kind and beneficent act, but a great miracle. But then, be the miracle as great as can be imagined, it is no more than what false teachers, workers of iniquity, and even some artists among the Jews, have done before; consequently such a work of exorcism in our Saviour, could be no proof of his divine authority; and if there was no more to be said against this miracle, this is enough to set it aside, and to spoil the argument of Jesus's divine power from it. But there are many circumstances in the story, literally considered, that would induce us to call the whole into question. How came those madmen to have their dwelling among the tombs of a burying-ground? Where was the humanity of the people, that did not take care of them in pity to them, as well as for the safety of others? Or if no chains, as the text says, which is hardly credible, could hold them, it was possibly surely, as well as lawful, to dispatch them, rather than their neighbours and passengers should be in danger from them. Believe then, this part of the story, who can. But what is worse, it is not credible there was any herd of swine in that country. If any historian but the evangelists had said so, none would have believed it. The Jews are forbidden to eat swines flesh, what then should they do with swine? Perhaps it may be said the Gardarens were not Jews, but neighbouring Gentiles, with whom it was lawful to eat and keep swine. We will suppose so, but then it is unlikely that our Saviour would permit the devils to enter into a herd of them

to

to their destruction. Where was the goodness and justice in so doing?

After some other remarks, in which he makes very familiar with our Saviour, he endeavours to prove upon the authority of the fathers, that the relation of this miracle is not to be understood literally, but in an allegorical and mystical sense.

The third charge against him in this information was, for his abuse of the scripture history of our Saviour's transfiguration on the mount.

"And this, says he, is the darkest and blindest story of the whole gospel, which a man can neither make head nor foot of: and I question whether the conceptions of any two thinking doctors do agree about it. To say there is nothing in the letter of this story, we believers must not, because St. Peter says he was an eye-witness of Jesus's majesty, saw his glory on the mount, and heard the voice out of the cloud. But as infidels will be prying into the conduct of Jesus's life, and forming their exceptions to the credibility, or probably of this or that part of it, some christians should be ready at an answer that might reasonably satisfy them, and not forcibly bear down their oppositions, which will make no sincere converts of them. And I believe they would easily distress us with difficulties and objections to the letter of this story.

"St. Augustine himself owns, that the whole of it might be performed by magic art: and we know in these our days, that some jugglers are strange artists at the imitation of a voice, and to make it as if it came from a-far, when it is uttered close by us; and can cast themselves too into different forms and shapes without a miracle, to the surprise and astonishment of the spectators."

In this ludicrous manner he goes on, and make himself merry with asking questions about the manner of the transfiguration, of what use it was, and what

what discourse passed between our Saviour, and Moses and Elias; and then, as usual, introduces the fathers to support his own ridiculous, whimsical and allegorical scheme.

The next miracle which, as he says, he will take to task, is that of changing water into wine. And this he treats in a more extravagant and indecent manner than any of the former. The liberties he takes on this occasion are such as we don't chuse to repeat.

This was the last charge in the first information. The court having summed up the whole to the jury, they found the defendant guilty of writing, printing and publishing the said book.

On the second Information.

The jury were sworn again to try the issue between the king and Thomas Woolston, for writing, printing and publishing a book, intituled, A second discourse on the miracles of our Saviour.

A witness having sworn that he bought this second book of the defendant, part of the book was read.

The author says, that the miracles of healing all manner of bodily diseases, which Jesus was justly famed for, were none of the proper miracles of the Messiah, nor so much as a good proof of his divine authority to found a religion. That many of them literally, as recorded by the evangelists, imply absurdities, improbabilities, and incredibilities, and consequently, either in whole, or in part, were never wrote as they are commonly believed now a-days, but are only related as prophetic and parabolical narratives of what would be mysteriously and more wonderfully done by him.

He says, that Jesus is supposed often miraculously to cure lameness; but there is no account of the

nature and degree of the lameness he cured; nor are we certain whether the skill of a surgeon, or nature itself, could not have done the work without his help. That if the evangelists had told us of men that wanted one or both their legs, (and such miserable objects of Christ's power and compassion, were undoubtedly in those days as well as in ours) and Jesus had commanded nature to extend itself to the entire reparation of such defects, those would have been stupendous miracles indeed, which infidelity itself could not have cavilled at, nor would the fathers have known how to have allegorized or made parables of them.

The miracle, he first treats of here, is that of healing the woman who had been twelve years diseased with an issue of blood.

He seems angry with the evangelists for not telling the nature of this distemper, and says it might be only a little bleeding at the nose, or, &c. He insinuates that she was not so bad as she pretended to be, for she pressed through the crowd; and that the curing her, by stopping the effusion of blood, might hasten her death. He brings in a vile comparison of Moore the apothecary, and will have it that the woman was cured by conceit, on touching the hem of Christ's garment. And from our Saviour's words, That virtue was gone from him, draws a prophane inference, That Jesus's virtue hung very loosely on him.

The miracle, of healing the woman who had an infirmity eighteen years, he treats in the same ludicrous manner. He calls her a drooping, vapourish woman, full of fancies, of the devil's temptation over her; but that, when our Saviour had laid his hands on her; she might be of a more chearful heart, and freed from the whimsical imagination of being Satan-ridden.

The

The next he come to is, the woman of Samaria, which he says is a broken absurd tale. That the Samaritans expected our Saviour would be a fortune-teller, and wonders the Gypsies, from this story, do not account themselves the disciples of Jesus. He adds, that the men had but little wit, or they had never stirred from their homes to see such a fortune-teller upon the report of a poor whore.

The jury found him guilty of publishing the second book.

Third Information.

The jury were sworn again, and a third information was pleaded against Thomas Woolston, for writing, printing and publishing, a third book, intituled, A third discourse on the miracles of our Saviour.

What he first attacks in this performance is, Our Saviour's cursing the fig-tree.

To look upon this miracle according to the letter, he says, it appears to be such a foolish and absurd, if not a malicious and ill-natured act, that he questions whether the folly and absurdity of it can be equalled in any instance of the life of a reputed wise man. For he tells us, that Jesus, it seems, was hungry, and being disappointed of figs, to the satisfaction of his appetite, cursed the fig-tree, which, he adds, was as foolishly and as passionately done, as for another man to throw the chairs and stools about the house, because his dinner is not ready at a critical time, or before it could be got ready for him.

He desires to know where was Judas, the steward and caterer, with his bag of victuals as well as money; and says, it was poor forecast and management among them, or Jesus had never trusted to the uncertain fruits of a fig-tree, which he espied at a distance, for his breakfast.

After these, and some other no less offensive reflections on the literal sense of the history, the author, by way of salvo, turns the whole into an allegory, and pretends a great veneration for the mystical meaning. But the counsel for the king observed, he could have no good in his heart, who could let such expressions come from under his hand.

The next miracle he ridicules, is that of healing a man of an infirmity of thirty-eight years duration, at the pool of Bethesda, where a great number of blind, lame, and impotent, lay waiting for the descent of an angel, who, by troubling the waters, gave them such a sanative virtue, as to cure the first distempered person who stepped in.

This whole story, he says, is a camel of a monstrous size, for absurdities, improbabilities, and incredibilities, which our divines, and their implicit followers have swallowed without clearing, while they have been straining at gnats in theology, and hesitating at frivolous and indifferent things of the church of no consequence. He tells you, that the man's infirmity was more laziness than lameness, and that Jesus only shamed him out of his pretended illness, by bidding him take up his stool and walk off, and not lie any longer like a lazy dissembler, among the diseased, who were real objects of compassion. After this, he says, that the angel's descent into the pool might be to wash himself, and clear off some bodily defilement or heat, contracted in the celestial regions.

The jury found him guilty of publishing this book likewise.

Fourth Information.

The jury were sworn a fourth time: and a fourth information was pleaded against him, for writing, printing, and publishing, A fourth discourse on our Saviour's miracles.

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He begins with our Saviour's giving sight to the man who was born blind. And this, he would persuade us, was done with eye-salve, made of clay and spittle. He says, that sometimes we hear of famous chance doctors, who, by a gift of God, nature, or fortune, without any skill in the structure of the eyes, have been successful in the cure of distempers incident to them.

He tells you, for instance, that Sir William Read was no scholar, and yet he cured his thousands of sore and blind eyes, to the astonishment of professed physicians and surgeons; and he questions whether Sir William or Jesus cured the greater number; but adds, that they both met with some that were out of their power.

He then falls again upon the marriage at Cana in Galilee, and diverts himself in an unaccountable manner, with the miracle of turning water into wine when the guests had well drank.

And yet, which is very surprising, after all this, he sets up for a good christian, and a true believer in Jesus, though in a manner different from what others believe.

The jury likewise found him guilty of publishing this book.

The judgment against him was, That he should pay a fine of 100*l.* suffer a year's imprisonment, and give security for his good behaviour during life; himself in a recognizance of 2000*l.* and two sureties in 1000*l.* each, or four in 500*l.* each.

JAMES CLOUGH, *for Murder, April, 1729.*

JAMES CLOUGH, of St. Andrew's, Holborn, was indicted for the murder of Mary Green, by giving her with a knife, one mortal wound in the right

right thigh, of the length of one inch, and depth of five inches, April 11, of which wound she instantly died,

Diana Paine. I keep the Green-Lattice, in Holborn. The prisoner and deceased were both my servants. About ten minutes or a quarter of an hour before the accident, as I was standing at the door, the prisoner went out with a pot of beer. Then, leaving the door, I walked about the tap-house with the child in my arms: I saw the deceased go down the cellar stairs, and come up again presently with two pints of beer, one was for a customer, and the other being for herself, she carried it into a box, where she was at dinner. This was about four or five minutes before the accident. The prisoner, being come back, went into the room where the deceased was, and, in about four minutes, he called to me, and said, Madam, pray come here. I went to the door of the box, where I saw the deceased sitting on her back side on the floor, the prisoner holding her up by the shoulders, and the blood running from her in a large quantity. James, says I, what have you done? he answered, Nothing, madam, Did you see her do any thing to herself? says I. No, says he, but I saw her in the cellar with a knife in her hand. The deceased seemed to be dead, for she neither spoke nor moved. I was frightened and called my husband, and then ran for an apothecary.

John Paine. The prisoner had been my servant about two years, and was always very just and honest. He carried out a pot of drink, and the deceased went down and drew two pints, as my wife has sworn. When the prisoner went into the room or box where the deceased was, he threw the door with an uncommon violence, and, in a few minutes, called my wife. She went, and called me. I went in.

The

The deceased was then sitting on the ground, supported by the prisoner. The box they were in was inclosed, but not quite up to the ceiling, I believe it might want about three feet. I was very near to this box, when the deceased and the prisoner were in it, a little before my wife was called, but I heard no noise, not so much as a word. When the deceased came out of the cellar, I did not see that she had any knife in her hand. Another thing I observed was, about nine or ten in the morning of the same day, a man, who, as I was told, had been the deceased's sweet-heart, came in, sat down, called for a pint of beer, and smoked his pipe. The deceased was then washing some rooms above, and, coming down stairs, she sat down and drank with this man, and then trundled her mop, and went up stairs again. She came down a second time, sat a little, and drank with him as before. I believe the man kissed her, or whispered with her, I cannot say which, but I saw their heads close together, for they sat directly against the bar, and I observed an alteration in the prisoner's countenance, and he appeared to be ruffled: though I know nothing of any courtship between him and the deceased.

Mr. Saunders. I dined that day at Mr. Paine's house, the prisoner drew me a pint of beer, and the deceased spoke for a tankard to be carried out. The prisoner went with it, and, while he was gone, two men came in, and the deceased went down and drew two pints of drink, one she gave to the men, the other she carried into the box where she was at dinner. I saw no knife in her hand when she came up with the drink. Soon after the prisoner came in, and went into the box where she was; and, in three minutes, or thereabouts, he called out, and said madam, pray come hither, and see what is done.

Mrs.

Mrs. Paine went, and presently called her husband; and said, there was murder committed. Mr. Paine and I went and found the deceased and prisoner in the posture already described. Mr. Paine called the prisoner villain, and said he believed he had done it, and he should give an account of it before he was cleared. The prisoner said, he was as innocent as the child at his mistress's breast. Mr. Paine asked him how it happened? He answered, I cannot tell, but, when she went down to draw the two pints of drink, she carried a knife into the cellar; and when I went into the box to her, she was leaning upon the table, and said to me, James, I am a dead woman! and, seeing a great deal of blood upon the ground, I asked her how it came? she made me no answer, but tumbled out of the chair. When the prisoner had given us this account, a candle was lighted, Mr. Paine went down into the cellar, and I myself went down some stairs, but could not see one drop of blood. I don't know how the prisoner should know, that she had a knife in her hand when she went down, for he was not then in the house.

Mr. Cox, a surgeon. I was sent for about two o'clock. I went immediately, and found the deceased lying upon her back, and there was a vast effusion of blood. Her lips changed as soon as I came in. The wound was in the upper part of the thigh, and had opened the femoral artery. Looking on the table, among other knives, I found this knife about four feet from where the deceased was sitting. It had a little blood upon it, and I compared it not only with the wound in her thigh, but with the cuts in her cloaths, and it answered exactly to them all. It was a broad pointed knife, and yet it had gone through an apron, a quilted coat, a stuff petticoat, a strong

a strong coarse shift, and afterwards penetrated five inches into her thigh, and went obliquely upwards. This must require a violent force, and in the posture the deceased was supposed to be in, I think she could scarce be able to do it herself, nor that she could afterwards lay the knife where I found it: for such a wound in that part is immediately mortal; a person cannot live above two or three minutes after it. I observed some marks under her chin, her left ear, and about her elbows, which seemed to have been occasioned by some confinement or violence, so as to make the blood stagnate and prevent its circulation.

Mrs. Groves. I used to wash for Mrs. Paine. About six weeks before the accident the deceased complained of the prisoner's beating her, and that she could not bear it. She shewed me her head, and there was a bump upon it as big as an egg. I got some rum and bathed it. She told me too, that he had thrown a candlestick at her, but it did not hit her. I have heard them quarrel several times, and once I remember she said to him, if you do me a mischief, I have those that will see you hanged, though I don't live to see it myself.

Mr. Baldwin. I was at Mr. Paine's about nine o'clock, and some words passing betwixt the prisoner and the deceased, he said, she knows what's what. To which, as she was going up stairs, she answered, I never had a bastard. In a little time she came down, and wanted tea and sugar for her mistress, and, Mr. Paine not being at home, she said, he was always out of the way, when he was most wanted: upon which the prisoner struck her on the backside with the poker, and said, Ye saucy slut, must my master give you an account? I thought he looked maliciously, and that he was an ill-natured fellow.

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The

The deceased pushed him on the shoulder, and said, What did you strike me for?

Ann Duncarton. About seven weeks ago I saw the prisoner beat the deceased in the kitchen, and she said to me, Will my mistress suffer this? I asked her why he beat her? she answered, because I took some sticks to light my fire, which he had laid by to light his.

Elizabeth Green, the deceased's mother. On Easter-Tuesday, my daughter, the deceased, came to see me, and said, mother, I have been wild, and have not kept my places; but now I am used so barbarously by my fellow-servant, that I cannot bear it. I told her she should not, for I would go and give her mistress warning: but she said she was willing to hold it as long as she could, because she was bare of cloaths, and I not able to get her any.

The Prisoner's Defence.

Prisoner. Though we had sometimes had high words, we never had any blows. And that day, as the misfortune happened, we were very loving together, and I do not know that I touched her with the poker. As to the man that came and drank with her in the morning, I only desired him not to give her more than would do her good. At dinner time, before I had made an end of my dinner, I was called out to draw drink; and the deceased went likewise to draw two pints. She had a knife in her hand. I asked her what she did with it? and she answered, what is that to you, James: after I came back from carrying out the beer, I went again into the box to make an end of my dinner. I found her then sitting, leaning with her head upon the table, and she said to me, James, I am a dead woman.

Dear

Dear Mary, says I, what is the matter with you? and immediately, without making me any answer, she fell down dead, and, when I called my mistress, I had not been in the box a minute.

Then the prisoner called several witnesses to prove, that he did not any ways seem to be out of temper that day.

The jury acquitted him.

But before the sessions was ended, an appeal was brought against him by William Green, in his proper person, as brother and heir at law to the deceased Mary Green, spinster, for the murder of the said Mary Green. The prisoner was brought to the bar and arraigned, and he was asked to plead thereto; but desiring leave till next sessions, the court ordered him into custody.

At the sessions in May, 1729, William Green having lodged an appeal against James Clough, appeared, and moved the court that the trial might be brought on this sessions: but, as he had not taken care to bring a *venire facias* in time, it could not be done according to the usual course of law, and the trial was therefore deferred till the next sessions.

JAMES CLOUGH, *on an Appeal for Murder, July, 1729.*

JAMES CLOUGH, of St. Andrew's, Holborn, was tried on an appeal lodged against him in April sessions, after he was acquitted of the murder of Mary Green, by William Green, heir and brother of the said Mary.

Diana Paine. The prisoner and the deceased were both servants to my husband. On the 11th of April last, about two o'clock in the afternoon, as I was standing at the door, the prisoner came by me with a pot of drink, and carried it to the next door. He

and the deceased had been at dinner together about a quarter of an hour before, and the fact was committed about ten minutes after he went out with the drink. While he was gone, I walked about the tap-house with my child in my arms, and two men came in to drink: the deceased went down into the cellar to draw them a pint. She brought up one pint for them, and another for herself, and she carried this into the room where she dined.

Counsel. Had she any knife in her hand, when she came up with the drink?

Mrs. Paine. None that I saw. The prisoner then came in, and went directly into the room where she was, and in four minutes he called out, pray madam, come hither! I went immediately to the door of the box, which being open, I saw the deceased sitting on her backside on the floor, and the prisoner holding her up by the shoulder. The blood was running from her in great quantity; Lord, James! says I to him, what have you done? he answered, nothing, madam. Did you see her do any thing to herself? says I. No, says he, but I saw her have a knife in her hand in the cellar. The deceased seemed to be dead, for she neither spoke nor moved, and I being very much frightened, called my husband, and then ran for an apothecary.

Prisoner's Counsel. What sort of a box was it they were in, and how far was it from you when the prisoner called to you?

Mrs. Paine. It was open about a yard and a half from the ceiling, and not far from the bar.

Counsel. If there had been any noise, could not you have heard it?

Mrs. Paine. I must have heard it, if there had been any, for I was walking about near the box, and

and the house was very still, but heard no noise at all.

Counsel. What temper was the deceased in that morning?

Mrs. Paine. She was very chearful.

John Paine. About eight or nine o'clock that morning, a man came to my house, who used to come to see the girl, (the deceased) and he sat down at a table near the bar, and called for a pint of beer. The deceased having been washing the rooms above, came down, and he asked her how she did? She sat down with him, and he invited her to drink. She trundled her mop, and went up stairs, and, when she came down, she sat with him again. He leaned over the table, and either kissed her, or whispered to her. The prisoner did not seem to like it, but looked to be a little ruffled; and though the table had been washed but just before, he took a dish-clout and fell to wiping it, without any occasion that I could see. After this, I and my wife having dined, Mr. Saunders came in; I asked him, if he had dined? he said, no. Upon which I offered him a piece of mutton patty, which had been set by in the bar, and he accepted of it. The deceased drew two pints of beer, one for a customer, and one for her own dinner, which she carried into the box. The prisoner was then gone to carry out some drink, but, presently coming in again, he went to the box where she was, and threw the door with an uncommon violence. I was then sitting by Mr. Saunders, and in four minutes the prisoner called to my wife. She went, and called me. I ran immediately, and saw the deceased lying on the floor, in the manner my wife has sworn. I asked the prisoner, how it happened? he said, he did not know. You villain, says I, you have done it, and you shall give an account of it before we part.

Counsel.

Counsel. When she went into the cellar, or when she came up again, did you see any knife in her hand?

Mr. Paine. No. For when she went down, she had only two pots in her hand, and when she came up again, she brought two pints of beer, and if she had any knife, I should have seen it. I afterwards took a candle, and went down into the cellar, and narrowly looked on the stairs, to see if I could find any blood, but could not perceive so much as one drop.

Counsel. How did the deceased appear that day as to her temper?

Mr. Paine. She was merry, for I heard her a singing as she was doing her work.

Thomas Saunders. Coming from the South-sea-house, I called at Mr. Paine's, and dined there. The prisoner was in the box, and, as I suppose, at dinner. A neighbour having sent for some drink, the prisoner came out and carried it. In the mean time, two countrymen coming in, the deceased went down and brought up two pints of drink, one for them, and one for herself. I saw no knife in her hand. Afterwards when Mrs. Paine called her husband, I went with him, and found the deceased sitting upon the ground, and the prisoner with one hand under her arm. I believe she was at that time stone dead. The prisoner was asked, how it happened? he said, he did not know; but, that when he came into the box, she was leaning with her head upon the table, and said to him, James, I am a dead woman! and that upon his asking her, how it came? she fell upon the ground.

Counsel. How long had the prisoner been in the room before he called his mistress?

Mr. Saunders. About three or four minutes,

Counsel.

Counsel. Did you hear any noise while he was in the room?

Mr. Saunders. No; and yet I was so near, that if there had been any noise, I must have heard it. The deceased had a print over her left ear.

Mr. Cox, the surgeon. Upon hearing of the accident, about two o'clock that afternoon, I ran immediately and found the deceased lying upon her back, and a vast effusion of blood was under her. The prisoner supported her head. I thought, as soon as I came, that I could see her lips change colour, and there was no other appearance of life in her. I turned up her coats, and found the wound was in the upper part of her thigh; it passed obliquely upwards, and divided the femoral artery: and, looking upon the table, I found, among other knives, one that was a little bloody at the point: it lay about four feet from where the deceased was, and the handle was towards the chimney.

Counsel. Supposing the deceased had given herself the wound, do you think she could not afterwards have laid or tossed the knife in the place where you found it?

Mr. Cox. I think not without a miracle. I compared the knife with the cuts in her cloaths, and the wound in her thigh, which was five inches deep, and they exactly answered. It was a broad, round-pointed knife, and therefore the stroke must have been given with a violent force to go, as it had, through an apron, a thick quilted coat, a stuff petticoat, a strong coarse shift, and so far into her thigh.

Counsel. You think that wound was the cause of her death.

Mr. Cox. Undoubtedly, for, after receiving such a wound, no person could live above a minute and a half, or two minutes.

Counsel.

Counsel. Do you think the deceased could give that wound herself?

Mr. Cox. In my opinion it was not possible.

Counsel. Did you observe any other marks of violence?

Mr. Cox. Yes; I took notice of some marks about her chin, and left ear, which appeared livid, and seemed to be made by the compression of the thumb and fingers. Her left ear was contused, and I believe the person who did the fact confined the deceased with his left hand, and gave the wound with his right.

Then the knife and the deceased's cloaths were produced in court.

Mr. Dennis. The nature of that wound was such, that no animal could live above a minute and a half after the artery had been so divided. I tried the experiment on a dog, and he died in a minute and a quarter: therefore I believe it was impossible that the deceased could have given herself the wound in the cellar, because afterwards she could not have moved one step; nor can I think, if she had done it in the box, that it was possible for her to lay the knife where it was found, and in such a manner as it was then laid: because, on receiving such a wound, the person falls immediately into convulsions, and grows insensible. I saw the marks about her chin and ear, and suppose they must have been done by the force of a hand, for, had there not been a compression by violence, when such a wound was given, the blood would have flowed with so great an impetuosity, that it could not have stagnated in those places.

Mr. Baldwin. About nine that morning I was in Mr. Baine's kitchen, eating a roll and cheese. Some discourse was passing about the deceased, upon which the

the prisoner said, she knows what's what. She answered, I never had a bastard, and so went up stairs. Coming down again soon after, she wanted some tea and sugar for her mistress; but Mr. Paine being gone out, she said, he is always out of the way when he is most wanted. The prisoner at the same time being puddling with the poker, he struck her on the backside with it, and said, you saucy slut, must my master give you an account? I thought he was an ill-natured fellow, and that he looked maliciously.

Ann Duncarton, Mrs. Groves, and the deceased's mother, who gave evidence at the former trial, as to the prisoner's ill-behaviour towards the deceased, were ready in court to give their evidence again, but were not called upon.

The prisoner called some persons who frequented the house, to prove his general civil behaviour towards the deceased.

The jury found him guilty; and when sentence was to be passed on the other capital convicts, the appellant came into court, and demanded judgment on the appellee, and accordingly sentence of death was pronounced upon him.

The Ordinary's Account.

JAMES CLOUGH, thirty-two years of age, of honest parents, who kept a public-house near Clare-market, and gave him good education, in reading, writing, and cyphering. He was put out apprentice to a vintner at the Swan, in Tower-street, and served out his time honestly; and with approbation. Afterwards he served in several taverns and public-houses in town, especially at the Horse-shoe, in Blow-bladder-street, near Cheap-side, where he lived two years with the good-will of his master, having been abundantly obliging to customers; but otherwise he had been of a dissolute life, much addicted to drinking,

whoring, swearing, but he had still the character of being an honest man, although his manner of life obliged him to contract some small debts, part of which, as some people who knew him affirmed, he was not capable, though willing to discharge.

As to the murder, he was very obstinate in denying that he gave the fatal wound, although he did not pretend to give any account what way Mary Green came by it.

He could not pretend that his master or mistress, who gave him the character of a good servant, had any prejudice, or ill-will to him. He neither reflected on them, nor none of the witnesses, as if they had any view in prosecuting him, but that justice might be executed.

At first, indeed, he seemed to be in confusion at the many pressing exhortations that were made to extort a confession from him; but recollecting himself, he denied, that he gave the mortal wound, and said, that he knew nothing at all how she came by her death, no more than the child unborn; that the deceased was a very ill-natured girl, that she swore and cursed often; and he did not deny but that he had struck her sometimes, as was given in evidence against him, but that he did not do her any harm; and after all that could be said, he still persisted obstinately in denying the fact. He said, that when he was young, he was not disobedient to his parents, but that in other respects he had led a very wicked life, in breaking the Lord's-day, and neglecting his duty to Almighty God, who therefore had now justly forsaken him. He appeared not to be of an ill-temper, but a civil fellow, and abundantly knowing in religious matters, for one of his station.

Many of his friends and acquaintance came daily to visit him. I wish they did not too much divert

him

him from his duty, and buoy him with false hopes. He hoped to be saved only by the mercy of God, through the merits of Jesus Christ; and that he forgave all the world any injuries done him, as he expected forgiveness from Almighty God.

As he was going to the place of execution, he desired the officers to stop at Mr. Paine's, at the Green-lattice, in Holborn, who was his master, and with whom he lived at the same time the murder was committed. When he came to the door of his said master, he called for a pint of wine, and desired to speak with him, and accordingly he came. Then Clough addressed himself to him after the following manner: Sir, you are not insensible I am going to suffer an ignominious death, and for what I declare I am not guilty of, as I am to appear before my great judge in a few minutes, to answer for all my past sins: I hope you and my good mistress will pray for my poor soul: pray God bless you, and all your family. Then he turned to the officers, and desired to speak to the carman to go on; and it was remarkable, that he spoke it with a great deal of composure; and likewise, when he came to the place of execution, his countenance was no ways changed, not even to the very last.

At the place of execution he appeared, as he always did, while under sentence, with great composure and gravity. He was attentive and serious, and made responses to the prayers and psalms. He addressed himself to the spectators to this purpose:

Good people, I die for the fact I did not do. I wish all men well: and he said, he never ceased to pray for his prosecutors most heartily, ever since he was under sentence. My sins have been very great, and I hope for God's mercy, through the merits of Jesus Christ.

A psalm was sung at his desire. He over-heard some people say, that his mistress was in a coach just by the place of execution; whereupon he could not be easy, till a person went to the coach and satisfied him that she was not there. As the cart was going away, he once more addressed himself to the spectators as follows:

Good people, I beg of you to pray for my departing soul, and as for the fact which I now die for, I wish I was as free of all other sins, as I am of this, which I am now going to suffer for.

He was hanged at Tyburn, on Friday, July 25, 1729.

FRANCIS CHARTERIS, Esq; *for a Rape, February,*
1729-30.

This Trial is taken verbatim, from a very scarce Manuscript.

ON Wednesday, Feb. 25, 1729-30, Counsellor Strange moved the court at the Old Bailey, that Colonel Francis Charteris might be permitted to surrender himself the day following to take his trial, on an indictment preferred against him by Ann Bond, for committing a rape on her body. The court granting the motion, he surrendered himself accordingly and was brought to the bar and arraigned.

Francis Charteris, of St. George, Hanover-Square, Esq; was indicted, for that he, not having the fear of God before his eyes, but being moved by the instigation of the devil, did, on the 10th of November last, ravish; and carnally know, Ann Bond, spinster, against the peace of our sovereign lord the king, and against the statute in that case made and provided.

To this indictment the prisoner pleaded, Not guilty.

Ann

Ann Bond deposed, that being out of place, and having been ill, she happened to be sitting on a bench at her lodging, and a woman, whom she knew not, took an occasion to enter into conversation with her, and asked her, if she wanted a place, telling her she was very serviceable in helping servants to places; she replying, that she would willingly embrace a good service, she told her she could help her to a very good one, which was to one Colonel Hervey; that accordingly she went, and was hired, and did not know for three days, but that the prisoner's name was Harvey. That for the first three days she was treated well; that he sent his footman with her, and he redeemed some cloaths that she had been obliged to pawn; and he had also money, and orders given him to buy some linnen, which, when she came home, the prisoner said she should have; but she refused to take it, saying, she had no occasion for it. That after three days, he began to solicit her to let him lie with her, offering her a purse of gold, telling her he would give her a great many fine cloaths, get her a good husband, would give her a house, he having a great many, if she would go to bed with him: that she told him she would take none of his money on any such account: that she came not thither for any such purpose: that if she did not do his work to his mind, he might turn her away: that afterwards she hearing one coming to the house, enquiring for Colonel Charteris, she spoke to the house-keeper, telling her, she thought her master's name had been Harvey; that she had heard a bad character of Colonel Charteris, and was not well and must go away.

She added. When I offered to go away, he threatened my life, and I was kept in, and not permitted to go out of the house, the door being kept locked, and

and, if the clerk of the kitchen went out, the house-keeper or the butler had the key, so that I never could get out after the first three or four days.

Being asked, what time she went to live with the prisoner? she replied, about the 24th of October, and came away the 10th of November.

That on the 10th of November, the colonel rung a bell, and bid the clerk of the kitchen call the Lancashire bitch into the dining-room. That she going in, he bid her stir the fire; while she was doing it, he locked the door, and took her and threw her down on the couch, which was nigh the fire, in the further corner of the room, and forced her down with violence, and lay with her; that she strove what she could, and cried out as loud as she could, and he took off his night-cap, and thrust it into her mouth, and then ravished her.

She afterwards told him, she would certainly prosecute him for the injury she had received from him, and take all lawful methods to do herself justice; that he endeavoured to pacify her with promises of a great many fine cloaths, &c. if she would hold her tongue, and say nothing of it; but she would accept of none of his offers. She added, that then he called her brimstone b—h, and cursed and swore, and threatened he would beat her to death. And about one hour after he had lain with her, he took a horse-whip, and beat her very much; and also beat her with the great end of it; and no servants came till he opened the door; and then the clerk of the kitchen came up, and he bid him take all she had, and turn the brimstone b—h out of doors: that being got out of doors, she went to a gentlewoman, and made her complaint, and desired her to go with her to get her cloaths; that when they came and demand-

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ed them, he bid them turn the b---hes out, and pretended that I had robbed him of thirty guineas, and sometimes he said twenty.

Being asked, if she complained of the colonel's usage of her? she said, she did; to Mrs. Parsons, that very day, and she acquainted Mr. Bliss with it; and that she preferred the bill of indictment against the prisoner; that it was drawn, at first, for an assault, with an intent to ravish; and, that the foreman and the jury, upon the questions they put to her, said, it was not an intent, but it was a fact, and so the indictment was altered.

The prisoner being informed, that now the prosecutor had given her evidence against him, he was at liberty to ask her what questions he pleased; he put the following questions.

Prisoner. Did not you live at Cockeram?

Prosecutor. No.

Prisoner. Did you never see me in Lancashire, at Cockeram?

Prosecutor. No.

Prisoner. Did not you bring me a letter?

Prosecutor. No; I brought no letter?

Prisoner. If I don't prove it I'll be hanged. Did not your sister live on my estate? Did not you know the whole lordship was mine? To which she answered, No.

Prisoner. Did you never lie in the bed with your master?

Prosecutor. No: I was in the truckle-bed one night, when she who was my bed-fellow lay with you, and you called me to come to bed to you; you said, you Lancashire b—h, come to bed to me, and lie on the other side of me, that I might lie in state; this was the fifth night; and I slipped on my gown and went down stairs, and sat there all night: and
I was

I was told, you had ordered I should have no bed; I was not willing to lie there at all; but was told, you was ill, and I must; the servants had all sat up.

Prisoner. Did not you lie in the truckle-bed a nights?

Prosecutor. I did lie four nights in the truckle-bed in the colonel's room, with a maid.

Prisoner. Did not you bring my breeches, with fifty guineas, that day you said you was ravished? Did not you lie, the night before your pretended ravishment, in the truckle-bed? Did not you throw the snuff-box, with a guinea, behind the grate, when you were called up? To most of which the prosecutor, answered in the negative; adding, I was called up, and there was two gentlemen with you, and you said you had got a pretty Lancashire b—h; and the gentlemen gave me each of them half a guinea.

Prisoner. Did you tell my servant that you had met with bad usage?

Prosecutor. I complained to every servant that I had bad usage.

Prisoner. What was the bad usage?

Prosecutor. In being ravished and horse-whipped.

Prisoner. Did you not accept of a snuff-box?

Prosecutor. That was given me the second day after I came; I said I did not want it, I would not have it; you said I should have it; keep it in your pocket, if it be lost, you shall be answerable for it.

Prisoner. Did you complain to a magistrate the very day you pretended to be ravished?

Prosecutor. I applied to Mrs. Parsons, and she acquainted Mr. Blis, and the lord chief justice's warrant was taken out.

Mary Parsons, the prosecutor's evidence, being called, was asked, When Ann Bond came to her, and made her complaint? She answered, it was the 10th

On 11th of November, she came to her in a very great surprize, said, the colonel had used her very ill, and said, that that morning he had forced her against her inclination, and she was beat cross the shoulders and back, and that he had taken all her cloaths from her, that she went with her to demand her cloaths, and the prisoner bid his servants turn the b—hes out of doors. Then I told her I would take her to a gentleman who would do her justice, and this was Mr. Blifs. Being asked, if she told her when she first came to her, that the colonel had ravished her; Mrs. Parsons replied, she said he lay with her against her inclination.

The next evidence for the prosecutor, was Mr. Blifs, who deposed, that about the 10th or 12th of November, to the best of his memory, the prosecutor told him, she had lived with colonel Charteris; that she thought she had gone to live with one colonel Harvey; that he had treated her very handsomely for two or three days; that he sent a servant to fetch home some of her cloaths that she had pawned, and ordered him to buy some linen; that she refused to have it; that she had been whipped both before the rape and after it; that the colonel pretended to be very ill, and she was ordered to lie in a truckle bed in his chamber, and was constrained to lie in his room. That the 5th night, he called her Lancashire b—h: that she kept her petticoats on; that about two o'clock he called her up, and horsewhipped her, telling her, she should obey his commands, that was what she deserved, and must expect. That, on the 7th day of her being there, she was called up, that the colonel locked the door, forced her to the remotest part of the room, and forced her —; that she cried out as loud as she could, and he took his night-cap, and thrust it into her mouth. That she asked him

him, if she had not best apply to a justice? That he told her, the quarter sessions was near, and he thought that would be the best way; and, when she came to the grand jury, they told her, that this was not an intent, but the fact; and the foreman of the grand jury ordered two to go to Mr. Lindon, and the indictment was drawn accordingly; and one of the grand jury said, the colonel had attempted his sister; that they went to get a certificate, but could not get it that night; that he told one Mr. Harrison of it, and (as he was informed) he acquainted the colonel, and the colonel went out of town the next morning.

Sarah Colley deposed, that she washed for one of the prisoner's servants, and he seeing her, asked her, if she knew of any likely country girls, that she could send for to town? But not to mention his name, and that he ordered her to go to the Crown and Wheat-sheaf on Ludgate-Hill, and to bring one Mrs. Berr to him; but not to mention his name, and he would give her a guinea.

The prosecutor having gone through the evidence the prisoner's evidence were called.

Mr. Gordon being asked, what he knew about the bringing of a letter? he answered, that Ann Bond came, and said, she had sent in a letter to your honour, and waited for an answer; that he (this evidence) came into the parlour, when *Mr. Irving* was reading the letter.

Mr. Gordon being asked by the prisoner, what he knew more of Ann Bond? He replied, you rose very early in the morning she went away; she brought you your breeches, and held them while you put your legs into them. This was about two o'clock in the morning.

Quest. Where was this?

Answ. The colonel was sitting in the parlour they brought some tea, and the colonel went to bed again.

again; about four, rose again, and went out about six, and came home again at ten.

Quest. What colour were the breeches that Ann Bond brought?

Ans. I think they were brown cloth breeches, and then the colonel missed his money, I was ordered to bring up the woman that had lain with him that night, that he went to call Mrs. Bond, but she did not follow him, but ran to the house of office, that he followed her, that she did not stay there to do any thing, no longer than she could go to it, and come back again; that, then she ran to the bed-chamber, and was doing something under the fire, and he looked under the fire-grate, and found a little steel box with a guinea in it.

Prisoner. Were not several of my servants in the outer hall?

Gordon. I think it was about ten o'clock when the colonel called for Mrs. Bond, and challenged her with the money, and I saw her about two or three o'clock in the morning come out of the room, and bring the colonel's breeches with her, and she was in the room, and helped to dress him; Mrs. Bond went away about two o'clock in the afternoon, and was well pleased, till he challenged her with the money.

Quest. Where did Ann Bond lie?

Ans. She lay in the truckle-bed all the time she lived with you, and Mary White lay with her only two nights.

Prisoner. Where were you from the time I got up, till I went out?

Gordon. In the hall upon the same floor, with the rest of the servants.

Prisoner. Did you hear any noise?

Gordon. No.

Mr. *Irving* deposed, That the Sunday before his majesty's birth-day, he was with the colonel, and his servant brought in a letter, and said, it came from a woman; the colonel bid him open it, and read it, he believed it came from a whore, and he made no secret of those matters; that the colonel bid the woman be called in, and Mrs. Bond came in, in a riding-hood, and the colonel called for tea, and asked her, when she came out of the country? That she replied, about three weeks ago. That he was desired to step out, and was called in again, and she was sitting in the chair, where he left her; and another gentleman coming in, the colonel said, Nanny, go down into the kitchen among the servants, and when I want you, I will call for you; that the colonel said, he knew her at Cockeram, that she pretended to be a very modest girl, but one of the servants, where she had lived, had lain with her.

The prosecutor being asked, whether Mr. *Irving* was in the room, when she went to the colonel's to be hired? She replied, No, he was not in the room.

Mr. *Irving* being asked, whether he heard any discourse between the prosecutor and the prisoner, about the letter? He answered, No.

The prosecutor being asked, concerning her bringing a letter to the colonel's, denied that she sent or brought any letter.

John Gourley, one of the prisoner's servants, deposed, That he was in the room with his master, and Mr. *Irving*, when a servant brought a letter, and he went down, and Ann Bond was standing at the door, and she said to him, I know you very well, I have seen you at my sister's house at Cockeram.

Quest. What day was this?

Ans. It was on Sunday, a little before the king's birth-day; and that the next day he went out with her,

her, with money to fetch her cloaths out of pawn, and asked her of several persons in the country, that he did this, for fear she was a bite; but he found that she knew them.

This evidence being asked, where the prosecutor lay?

He deposed, That she lay every night in his master's room, that his master used to bid him send the girl in, that she might not disturb him; that there was a great harmony betwixt them, and she commended her master for his kindness to her.

Ann Bond being asked, whether she came to the colonel on a Sunday? She replied, No, it was on a Monday.

Gourley, being shewn the letter, was asked, if he knew any thing of that letter? He answered, Yes. That it lay open upon the table, and he took it up, and read it, and put it in his pocket, and put it out of his pocket among some other papers, when he was going to Flanders, some days after.

Mr. Irving being shewn the letter, was asked, if that was the letter he read at the colonel's? answered, He did believe it to be the same letter; and pointing to the prosecutor, said, This is the woman that was brought in by the servant, upon reading the letter: then the prosecutor being asked, Whether *Mr. Irving* was present, when she came to the colonel's first? she said, No,

Then being asked, if she knew him? she said, Yes: I have seen him frequently.

This letter being shewn to *Ann Bond*, she was asked, if she did not bring that letter to the colonel's? She answered, No: she looked upon it some time, and said, she could not read it: and being asked, if she could write? answered, Yes, a little, and being bid to write, took the writer's pen, and wrote her name;

name ; but the hands were not alike. But the letter being proved by Mr. Irving and Mr. Gourley to be brought by her, was read, and is as follows,

Hon. S I R,

I Understand you are in town, if your honour pleases, I should be glad to wait on you : I came from Cockeram, in Lancashire ; I came the next door to Mr. Jones, and should be proud to wait on you, if your honour pleases to give me that liberty : pray, pardon this freedom, I am, with submission, and the greatest respect, your humble servant to command,

ANN BOND.

I wait at your door for an answer.

Wednesday night,
three o'clock.

James Davis being called, the prisoner desired he might be asked, whether he had not seen the prosecutor in the naked bed with him ? He replied, Yes, and that she lay every night in his master's room ; he being asked, when he came to live with the prisoner ? He said, on the 4th of November, and that he had seen her in the naked bed with his master ? And that he afterwards asking her, if she was not ashamed to lie with her master ? She replied, No ; she was not ashamed of it ; for it was what she was used to. He being asked, what time it was that he had seen the prosecutor in bed with his master ? He answered, it was the next morning after he came there : and being asked, how he came to see it ? He answered, that hearing the bell ring, he opened the door, without knocking, and went in, and saw her in bed with him ; he being asked, what business he had to go into his master's chamber without knocking, and being
but

but just come, was a stranger? And whether or not, it was not saucy and impudent in him so to do? After some pause, he replied, he had a mind to lie with her himself, and having heard that his master loved a pretty girl, he suspected she lay with him, and so he took that opportunity to satisfy himself.

Hannah Lipscombe being called, the prisoner desired, that she might be asked, how often she had seen the prosecutor in bed with him? She answered, that the first night she lay in the truckle-bed, and the second she lay with her master. Being asked, how she knew it? She answered, she saw her in bed with her master, in the morning, when she came to light the fire.

Robert Vaux deposed, That on the first of November, colonel Charteris's groom came to him, to come to his master at five o'clock in the morning, that he went into the colonel's chamber, and Ann Bond was in bed with him, that the servant opening the door he went in, and she turning aside the bed-cloaths, put her legs out of the bed, came out in her shift, took up her cloaths under her arm, and dropping him a curtesy as she passed by, went into another room to dress her. He added, that he was at the colonel's several times, and she was very familiar with him, and that he asked her how she liked him? And she answered, that her master was very kind to her; that he asked her concerning his performance, and she said upon her word, he was incapable. Being asked by the counsel, what he was? He answered, he was a saddler, and had made the colonel some saddles. He was likewise asked, what urgent business it was that should bring him there to disturb a gentleman so early in the morning? He replied, that one of the colonel's horses had broke his halter; upon which, he was asked,

asked, if he could not have fitted his horse with a halter, without disturbing the colonel himself? To which he replied, the colonel had often struck out articles in his bill, for want of verbal orders.

Thomas Cooper deposed, That he had been in Flanders, and upon his arrival at Dover, a message came to him, to come to the colonel, so he rode post, and came to the colonel's house, and lay there, and being called up in the morning by his servants, he went into the colonel's bed-chamber, and there he saw the prosecutor sitting upright in the bed, with her petticoats about her; and he withdrew, that she might dress herself. He being asked, what time this was? He replied, that it was on a Thursday. Being asked, what Thursday? He said, in October, he could not be exact as to the day of the month, without he had his journal; but he knew that he came from Flanders the beginning of October, the first or second, and that he was about twelve hours in his passage to Dover; that the message came to him on Tuesday; that on Wednesday he arrived in London, lay at the colonel's, and the next morning, which was Thursday, he saw the prosecutor in bed with the colonel.

The counsel for the prosecutor observed, that he, this evidence, swore to eighteen or nineteen days before she came to the colonel's house: being asked, if he was certain as to the time? He then replied, no, he did not know what questions he should be asked, had not brought his journal, and therefore could not be certain as to the time.

Mary White deposed, The morning that Mrs. Bond went away, she brought the colonel's breeches to him about two of the clock; that the colonel went out about six, and returned about ten, and missed his money; and then ordered Mr. Gordon to call

call up Ann Bond, and said, that it must be either herself; this evidence, or she, that took it, there being nobody else in the room, and desired Ann Bond to own it, telling her; that if she would, he would not send word down into the country; that she said, she could not own what she knew nothing of; and the colonel ordered her cloaths to be kept, and herself turned out of doors: being asked, what time the colonel said he missed his money? She said, she believed he said, it was between eight and nine o'clock; being asked where she was from the time the colonel got up, to the time he went out? She said, in the hall upon the same floor. Being also asked, if she heard the prosecutor cry out? She answered, No. Being asked what colour the colonel's breeches were, that Ann Bond was said to bring to him? She answered, black; as she thought.

Mr. *Hambleton* deposed, That he came to the colonel's to put up some curtains; he being an upholder, that this was about nine o'clock, and the colonel said, he missed some money; that he had fifty guineas in his pocket last night; and had lost twenty of them, and bid Mr. Gordon call all the servants up, and that he, this evidence, saw two shillings lying upon the couch.

The prosecutor called the following persons to her character; Mr. Bell deposed, That Ann Bond had lived with him about a year, and during that time, behaved herself very honestly, and very modestly, and that he takes her to be as honest, modest a young woman as ever came into a family; that she came to him the beginning of July, 1727, and also, that she behaved herself very religiously, and when at any time she could not go to church, she always had some good book in her hand.

Mrs. *Bell* deposed, That she knew the prosecutor in the country, and had brought her out of Lancashire from her friends, and that she was always very modest, and honest; that she never perceived the least immodesty by her, in her life, and she did believe her to be a very honest, modest girl; and being asked, if she thought she would forswear herself, to take a man's life away? She answered, No.

Mr. *Harwood* deposed, she lived with him, at Clapham, nine months, and behaved very well during that time; and the reason she went from him was, because she could not bear the rudeness of some watermen: that she behaved herself very modestly and soberly, and kept her church very constantly, and he did believe her to be a very modest, sober young woman, that would by no means forswear herself to take away any man's life: that she went from him to Mr. Allen, and there also behaved herself modestly, and honestly, and he believed he would have been here, had he not been hindered by illness: she came from thence not for any misbehaviour, but by reason of other matters that were not agreeable to her. The jury, after a full hearing, went out, and brought in their verdict guilty, *Death.*

But by the interposition of the Earl of Wemys, and other friends, a pardon was obtained, the colonel having made a handsome settlement on Ann Bond for life.

He died at Edinburgh, 29th of February 1731-2, and soon after this news, the following Epitaph was published in several public papers.

E P I T A P H.

HERE lieth the body of colonel
Don FRANCISCO;

Who with an inflexible constancy,

An

And inimitable uniformity of life,
 Persisted, in spite of age and infirmity,
 In the practice of every human vice,
 Excepting prodigality and hypocrisy;
 His insatiable avarice
 Exempting him from the first,
 And his matchless impudence
 From the latter.

Nor was he more singular
 In that undeviating viciousness of life,
 Than successful in accumulating wealth;

Having
 Without trust of public money, bribe,
 Worth, service, trade or profession,
 Acquired, or rather created
 A ministerial estate.
 Among the singularities of his life and fortune
 Be it likewise commemorated,
 That he was the only person in his time
 Who would cheat without the mask of honesty;
 Who could retain his primæval meanness
 After being possess'd of 10,000 pounds a year;
 And who, having done, every day of his life,
 Something worthy of a gibbet
 Was once condemned to one
 For what he had not done.

Think not, indignant reader,
 His life useless to mankind;

PROVIDENCE

Favour'd, or rather connived at,
 His execrable designs,
 That he might remain
 To this and future ages,
 A conspicuous proof and example
 Of how small estimation
 Exorbitant wealth is held in the sight

Of the ALMIGHTY,
By his bestowing it on
The most unworthy
Of all the descendants
Of Adam.

FERDINANDO SHRIMPTON and ROBERT
DRUMMOND, for Murder and Robberies, Februar
1729-30.

FERDINANDO SHRIMPTON, and Robert Drummond, alias Fryer, alias Bell, of St. John, Hackney, were indicted for the murder of Simon Probent; Shrimpton by giving him with a bullet, discharged from a pistol, one mortal wound in the arm, of the length of half an inch, and depth of three inches, January 12, and Drummond, by being present, aiding and abetting him in the said murder.

They were a second time indicted for assaulting Samuel Tyson, Esq; on the highway, putting him in fear, and taking from him a silver watch, and ten shillings, Jan. 12.

William Shrimpton. About twelve o'clock on Sunday night, I was with the prisoners in Kingsland-road, they were on horseback, and I was on foot. We seeing a light made towards it. Ferdinando Shrimpton rode up to the chariot, and fired a pistol. Drummond rode up too, in order to take the gentleman's money, but his horse would not go near enough; upon which Shrimpton went to the chariot-side, and said, D—n you, your money, your watch, and your rings. I was upon the cause-way, and he bid me dismount the gentleman's servant, but the lad tumbled off the horse: and then I mounted, and we all rode away. We soon afterwards took

took off the saddle, and turned the horse loose in the road, and then we went to Drummond's house in Rag-fair, where we shared the booty; we valued the watch at forty-five shillings. Drummond kept it, and allowed us fifteen shillings a piece out of it; but then he said, we must pay our share of a quarter's rent of his house, which we agreed to.

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Mr. *Tyson*. On the twelfth of January at night, as I was going home in my chariot with a light, I heard a pistol go off. I let down the window to see what was the matter, when two men came to the chariot, and said, D—n you, your watch and your money. I delivered both, and then they demanded my rings; but I put my hand out of the chariot, and told them I wore none. There was another man belonging to them, but he was on foot, and he mounted my servant's horse, and then one of them said, D—n you, come away. The horse came home next day. My servant was shot in the arm, and died in eight days after.

John Parrey. When the prisoners were brought to the county goal of Surry, the watch, that was owned by Mr. *Tyson*, was found upon Drummond, who said, that he bought it at a public-house in the city.

Mr. *Robinson*, a surgeon. The deceased was in good health before he received the wound in his arm; but that, as I believe, threw him into a fever, which ended in his death.

The jury found them guilty of both indictments.
Death.

They were a third time indicted for assaulting Robert Furnell on the highway, putting him in fear, and taking from him a gelding value twelve pounds, a whip, a silver watch, a guinea and a half, and some silver, January 18.

Mr.

Mr. Furnell. As I was riding from Hammer-smith to Turnham-green, three men came up and bid me stand. They robbed me of a guinea and a half, my watch and whip. I think William Shrimpton took my money, and Ferdinando Shrimpton my whip. The third man was of the size of Drummond. When this was done, one of them said to me, D—n you, your's is a good horse. I desired them not to take my horse; but they replied, D—n you, there's a horse for you. And so they left me one of their horses, which was a little bigger than a Jack-ass, and then they went off. After this I heard that six or seven waggons had been robbed, and that three men were taken up on that account at Weybridge. I went thither to make enquiry, and found my horse at an inn there, and my watch at squire Hopton's. But understanding that the men were in Southwark, I went thither, and met with William Shrimpton, who said to me, We gave you a little horse that we had taken from a drover that night.

Will. Shrimpton. I and the two prisoners being on the road between Acton and Turnham-green, we heard two men riding along, upon which we rode up to them. Ferdinando Shrimpton robbed the prosecutor of his money, watch, and horse, and Drummond robbed the other man, and then we rode towards Brentford; but they gave me no share of the money.

The jury found them guilty.

They were a fourth time indicted for assaulting Jonathan Cockup on the highway, putting him in fear, and taking from him a bay gelding, value ten pounds, two hampers, five roasting pigs, and several spare-ribs, and joints of pork, January 14.

Jonathan Cockup. On the 14th of January, about six o'clock in the morning, I was robbed near the Halfway-house in Hampstead-road by the prisoners and

and W. Shrimpton. I was going to London with my goods, and desired them not to rob a poor man; but they swore, D—n you, we will take your horse and all that you have. And because I did not let go my horse's bridle readily, one of them struck me such a blow on the side of my face, near my eye, that it made the fire fly out of my eye. Then he drove away my horse with my panniers, pigs, spare-ribs, and other pork. I afterwards heard at Cheshunt, that three men were taken up at Weybridge. I went thither, and found my horse.

Will. Shrimpton. The prisoners and I robbed this man on Wednesday morning, as he has sworn. Ferdinando Shrimpton drove the man's horse so fast before him, that the panniers turned round under his belly, upon which we took out the pigs and pork, and left the panniers in the road, Drummond kept the prosecutor's horse till we were taken at Weybridge.

John Simonds. On the 19th of January, about ten in the morning, I was informed that there were three suspicious persons at the Anchor inn at Weybridge. I got some neighbours to assist me, and providing ourselves with fire-arms, and other weapons, I went into the Anchor inn yard, and left my friends standing at the gate. I found the men had paid their reckoning, and were just going away, upon which I stepped immediately to the stable, and locked the door, and put the key in my pocket. When they found the door fast, they begun to swear for their horses. I told them they could not have their horses till they had given an account of themselves, my assistants coming up with their arms, the rogues went into the room they came out of, we pushed in after, and apprehended them. And searching about, we found four pistols and a watch in a corner of the room, we carried

112 FERDINANDO SHRIMPTON, *acc. for Murder.*

ried them, with their pistols and the watch, before Justice Hopton, who committed them to prison.

The jury found them guilty. *Death.*

William Shrimpton, the evidence against these prisoners, was, at the next sessions, which was in April, 1730, tried for robbing, (with Ferdinando Shrimpton, and Robert Drummond, alias Fryer) Richard Pridgeon, and Edward Powney, in Stepney-fields, Jan. 13, about ten at night: he was found guilty of both indictments, and received sentence of death; but afterwards reprieved.

The Ordinary's Account.

FERDINANDO SHRIMPTON, about thirty years of age, was educated at school in reading and writing, and the necessary principles of christianity. His father was one of the greatest highwaymen in England, which profession he followed for many years; and although he lived in Bristol, yet he was not known to be a person that used to collect on the highway. But as some constables were going into a public inn, in quest of some other suspicious persons, Shrimpton, conscious of his own guilt, thought they sought for him, and rashly taking out a pistol, he shot one of the officers dead, and at the next assizes he was tried and convicted of murder. He expressed a great regret for this, and declared it was upon a mistake he murdered the man, as thinking they had come to take him up for innumerable robberies, in commission of which he had used people civilly, which was the reason of his passing undiscovered many years. He was hanged in chains at Bristol. Se we see vice as well as virtue often runs in the blood; for the son did not resolve to be long behind his father.

He was not put to any trade, but being of a good size, served as a soldier, and when his pay could not

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serve his extravagant demands, he made the highway make up the deficiency. He robbed a gentleman on Hounslow-heath lately. This person went to the New-goal in Southwark, and upon payment of a guinea, Shrimpton and Drummond told him where he might recover his horse, but they would not tell him any thing of his watch, for fear of bringing the Pawnbroker to trouble. When under sentence, upon desire of that person, I asked Shrimpton about the watch, and told him it was his duty to restore stolen goods. He would not trust a stranger, for fear of disobliging the Pawnbroker; but sent his wife who immediately brought his watch upon delivery of thirty-four shillings to the said pawnbroker. Shrimpton restored the watch, and then was in a rage, and swore because the person gave him but half-a-crown instead of a guinea, as had been promised; but the gentleman not having known any thing of the thirty-four shillings upon the watch, did not think himself bound to pay twenty-one shillings more. Shrimpton was enraged; and behaved very indecent one day in the chapel upon this account, for which he was threatened by the keepers; and all that can be said upon this head is, that the biter was bit. Upon a Sunday he spoke rudely to some gentlemen prisoners, for looking or pointing at him, as he supposed. And when I discoursed or preached upon murder, although he had been guilty of a most vile and inexcusable murder, he laughed and talked to his companions, and made little or nothing of all the villanies he had committed. I took a great deal of pains to make him confess the murder; but it had no other effect than producing a number of oaths from him. After all that could be said upon confessing his sins, he laid it down for a fixed rule, that he would confess nothing. He was an audacious, stubborn, cruel, and unadvisable fellow.

Robert Drummond was about forty-eight or fifty years of age, of honest parents, who gave him indifferent education. He dealt in hard-wares; married a wife, and lived in some town about Sunderland, in pretty good reputation for some years; but being of an unsettled disposition, he took himself to the highway, and all manner of extravagancies. He was taken up and transported for his crimes, but he returned from transportation, continued in his former wicked courses, and was one of the most forward and mischievous robbers in England for many years. His brother James Drummond was, by his advice, persuaded to go and rob upon the highway, and for the first two facts, he never having done any more, he was taken up, convicted, and executed about three months ago. He and Shrimpton having been of a size with Westwood and Nowland, were blamed for a robbery for which they were late executed. This they did not positively deny, only said, they could not commit all the robberies in the country. At this rate, Drummond was the ruin, not only of his own, but his brother's family, and some others. Drummond and Shrimpton were partners for a considerable time, and both of them were of a savage and cruel temper. They desired William Shrimpton to go in their company to Lambeth upon Twelfth-day last, and as he walked along the road, though he knew not any thing of their intent, nor had any arms, they threatened to murder him if he did not assist. They attacked the first person they met.

William Shrimpton was first cousin to Ferdinando Shrimpton, and after this he went along with them in all their adventures, till all three were taken. I asked William, who now lies under sentence of death for other facts, what number of robberies they had committed in that short time? He said, that
he

he could not tell, for Ferdinando and Drummond drove furiously, and acted more like madmen than creatures endowed with reason. They went abroad like a roaring lion, seeking whom the might devour, and commonly robbed nine or ten in a night; and they ruined William Shrimpton, a young fellow at once, by forcing him to commit robberies, and he could not get off again till they were all taken; and then he became an evidence against the other two.

Drummond by no means could be persuaded to come to chapel. When I urged him to confess his sins, which he was resolved not to do, and to attend the public worship of God, he flew into a passion. He was one of the boldest, most obstinate and self-willed malefactors I ever saw, and had few signs of repentance.

At the place of execution, Drummond and Shrimpton were two of the most unconcerned and obdurate of any I have seen, and continued so to the last. They went off the stage, (adding nothing to their former confessions) crying out with a loud voice, *Lord have mercy upon our souls.*

They were hanged at Tyburn, on Friday, April 17, 1730.

HUGH NORTON, *alias HORTON, for robbing the Bristol-mail, April, 1730.*

HUGH NORTON, *alias HORTON*, was indicted for assaulting Stephen Croucher on the highway, putting him in fear, and taking from him a sorrel gelding, value five pounds, the property of Thomas Austwick, a mail, value four pounds; and fifty leather bags, value five pounds; the property of our sovereign lord the king, March 1.

Stephen Croucher. As I was going with the Bristol and Gloucester mail, a man came out of a gate-way near Knightsbridge, and catching hold of my horse's bridle, bid me stand. I told him he was mistaken, for I was but a post-boy. I know what you are, says he, and you must come along with me, and if you cry out, or speak a word, before you tell me which is the Bristol bag, I'll kill you. So he led me to the further side of a field, where he pulled me off the horse, and took off the mail, and either unbuckled, or cut it open, I cannot say which; but he had a knife in his hand, and a sack lay by him. He took out several bags, and put them into the sack. Then he tied me, and took off the hinder mail-pin and crupper, and laid the sack upon the fore mail-pin, and was going to get up; but he came to me again, and said, he had not tied me fast enough, and so he tied my hands behind me, and threatening to kill me, if I offered to stir before the people came to fetch the oxen out of the ground, he got upon the horse, and rid away with the bags.

Court. What time was this?

S. C. The first of March; about four in the morning.

Prisoner. Do you know me to be the man?

S. C. I cannot swear that; but, as to his stature and size, and voice, they were very like yours.

Prisoner. What coat had the man on?

S. C. A great coat, with the cape buttoned over the lower part of his face, and his hat flapping over the upper part. As to the colour of his coat, I cannot pretend to say what it was; for it was a dark night, and it snowed very hard, so that the coat was almost covered with snow.

Daniel Burton. The prisoner and I both lodged in the house of one Mr. Marlow. The prisoner had

often

often solicited me to go along with him to rob the Bristol-mail; telling me, that as we were both short of money, it was better to go out, and raise some by robbing the mail, which he said might very easily be done, there being only a boy with it; and then we should be made for ever: but I, not liking the proposal, would not agree to it. I was afterwards in the company of one Mr. Mason, who told me, that the prisoner was but an indifferent sort of a man, and had been the ruin of him. The prisoner likewise proposed to me to rob Mrs Marlow, some night when she went out; but I acquainted Mr. Marlow and his wife, that she was in great danger, if she went out at night; and told them, if they did not turn him away, I would go away myself, and upon that, they turned him out, though at that time he owed Mr. Marlow five pounds, ten shillings. He came several times after to the house, and Mr. Marlow told him, if he would pay the five pounds in a month's time, he would abate him the ten shillings.

Court. What time was it when the prisoner proposed to rob the mail?

D. B. The first proposal was about two or three months ago; but he proposed it several times afterwards.

William Marlow. The prisoner lodged with me about half a year, and owed me upwards of five pounds. And, being gone from my house, he came again on Monday the second of March, in the morning, and knocked at the door; I looked out at the window, and he bid me come down, which I did. He said he was come to pay me my money. I told him it was very well; and then he gave me a twenty pound bank-note. I, not having money enough to change it, went to Mr. Broadhead, my brewer.

brewer. The prisoner staid in the tap-house, while I went into the compting-house to Mr. Broadhead, and there being two or three clerks with him, he gave the bill to them, and asked them if it was good? They all looked on it, and said it was. Then he gave me the money, and I gave the prisoner fifteen pounds, and set off the five pounds on his account.

C. On what occasion did you give the prisoner warning to leave your house?

W. M. I don't remember particularly.

C. Was it not upon the information that Burton gave you of the prisoner's having a design to rob your wife?

W. M. My memory is bad, and I cannot be certain.

C. What character have you heard of the prisoner?

W. M. I have heard, that he and one Mason were turned out of the guards upon some misdemeanor.

Henry Bingley, clerk to Mr. Broadhead. On Monday, the second of March, Mr. Marlow brought a twenty pound bank-note to Mr. Broadhead. It was indorsed, but I cannot say what the indorsement was. I paid this note away to one Mr. King, a factor.

James King. I received a twenty pound bank-note of Mr. Bingley. It was indorsed I think thus, Not to be paid till the fifth. I paid it away to Mr. Victorine's man in Thames-street,

William Yates, servant to Mr. Victorine. I received a twenty pound bank-note of Mr. King, indorsed, To be paid the fifth of March. I paid it to Mess. Knight and Jackson's man.

Thomas Swift. I received this twenty pound bank-note

note of one of Mr. Victorine's men; but I cannot say which of them.

The note being produced and proved, was read in court. It was payable to Henry Collet, or order, twenty pounds, for the governor and company of the bank of England.—And indorsed, Not to be paid till the fifth of March.—G. C.

George Clark. On the twenty-eighth of February, I inclosed this note in a letter, and directed it to Bath. I sent it from the Crown-tavern in Leadenhall-street, to the post-office.

Francis Collins. I received this letter of Mr. Clark, and delivered it at the post-office.

William Burleigh, and Richard Dickenson. Upon searching the prisoner in the board-room at the post-office, we took out of his breeches, between the lining and his skin, and near the garter, a pocket-book, or case with bills in it. He said that he found the case and the bills in Covent-garden. He had two guineas, a moidore, and some silver in his pockets.

Mr. Jones. When I took the prisoner, to the best of my remembrance, he said that he found the notes in Lincoln's-inn, or Lincoln's-inn-fields.

Mr. Langley, turnkey of Newgate. When the prisoner was brought to our house, (Newgate) I searched him, and found three bank-notes, and five fifty pound notes of Mr. Hoare's upon him. I delivered them to Mr. Archer.

This was confirmed by Mr. Archer.

Mr. Jones. On the fourteenth of March, when I searched the prisoner's lodgings, I found in a trunk, the receipt he had of Marlow for five pounds, and several slips of leather, which I suppose to be parts of the bag in which the Bristol letters were.

Mr. Crawley. I dress the leather for the post-office.
I believe

I believe those slips of leather belong to the mail; but I cannot be positive that they were part of the post-office bags.

Mr. Archer. I believe those slips were part of the post-office bags, and the rather, because of the marks of wax dropped upon it; which is what frequently, if not always happens in sealing them; for we are obliged to use a great deal at a time.

The Prisoner's Defence.

Prisoner. I am not guilty of the robbery, for I really found the notes, and I believe this is a trap laid for me by Daniel Burton: I have witnesses to prove that I was at home when the mail was robbed.

Elizabeth Hales. The prisoner lodged in my room, and he was at home that night the mail was robbed. He came in at nine o'clock on the Saturday night, and did not go out of my room till six o'clock on the Sunday evening.

C. What day of the month was that?

E. H. It was on the 30th, or 31st of February: and he was at home all the day, on the first of March.

C. How do you know it was the day the mail was robbed?

E. H. I heard the people talk of it as I looked out of my window in Long-acre.

C. How long has the prisoner lodged in your room?

E. H. Three months almost.

C. Are not you his wife?

E. H. No.

C. Did you not sometimes go by his name?

E. H. No.

C. Have

C. Have you two beds in your room?

E. H. No.

C. Did not you use to lie together then.

E. H. When he went to bed, sometimes I sat up, and sometimes I lay down upon the bed; and, when I went to bed, he sat up sometimes, and sometimes——

C. Went to bed too!

E. H. I sat up mostly, because I nursed his child, and it had been sick a fortnight. And in particular that night as the mail was robbed he went to bed, and I sat up all night in the same room, to tend the child.

Sarah Andrews. Having some work to do that night in haste, I went about six o'clock to my sister Elizabeth Hales, (the last witness) to get her to help me. The prisoner came in soon after; and my sister and I worked till twelve o'clock, and then we both went to bed, and the prisoner sat up. And when I waked about six in the morning, I found him sitting in the room by the fire-side. I staid till near noon, and then went home. This was on a Sunday, and it was her majesty's birth-day.

The jury found him guilty. *Death.*

The Ordinary's Account.

HUGH NORTON, alias Norton, but as he said, his true name was Houghton, about forty-eight years of age, born in Lancashire, of honest parents, who gave him good education at school, and instructed him in religious principles; served his time to a wine-cooper, and behaved himself honestly; was naturally of a civil disposition, and for some time followed his business, and was encouraged: but in queen Anne's time he was prest aboard a man of war,

where he served in the station of a midshipman, and sometimes as gunner's-mate. And when the ship was discharged, he got a title to five pounds per annum, out of the pensioner's chest of Chatham. He married a wife in London, and kept house at the other end of the town for some years, and at that time served in a troop of guards, till of late, about ten or eleven months ago, some cloaths of considerable value were lost, and they suspected Houghton to be the thief; and this being a dishonourable action, unbecoming a soldier, he was put out of the troop, and, after that, being put to his shifts, and out of all business, wanting money, and not knowing what to do, it may be presumed, that he thought upon some unlawful means, as the readiest way to provide himself with money. He absolutely denied that he committed this fact, and said, that another man had, since that time, acknowledged himself the doer of it. He said, that he had always lived soberly, that he was a good husband, and provided carefully for his family; that he went to church, and sometimes received the sacrament. He served the government twelve years by sea, and twelve years be land.

The account he gave of the crime for which he died, was to this purpose. On Sunday the 1st of March, he was crossing Covent-garden, about six or seven at night, he found a bundle of papers, which he took up, and looking into them, they were a parcel of papers belonging to the Bristol-mail. He soon came to understand, that the same mail was robbed on Sunday morning; and then he having diligently perused the papers, kept some, which he thought properest for his purpose, and he, being out of all manner of business, and in great want, and a great reward promised to the discoverer of the said robbery,

robbery, he durst not go to the post-office, having already disposed of a 20l. bank note, out of which he paid 5l. that was owing to his landlord Mr. Marlow. And therefore enclosed in a sheet of paper, the rest of the papers thus found; directed them to the post-master-general, laid them down in Lincoln's-inn bog-house, and they were carried to the post-office.

He reflected much on the evidence against him. Alledged that he had often advised him to adventure upon no purchase, no pay, and particularly to rob the Bristol-mail, which would make their fortune at once. But that he always had the grace to resist his wicked proposals. This was the substance of Mr. Burton's evidence against him reversed. He pretended to disprove the evidence; but in this he failed, and particularly in alledging, that the officers and others of the life-guards would appear in his favour. But not one of them was to be seen in court, but one gentleman, whom he called against his will, and who did him more harm than good; for he declared that he served in the troop of guards with him, but as to his character, he knew nothing of it, save that he was put out of the troop on suspicion of theft.

He reflected upon his being convicted upon circumstances, without positive proof. I told him, that it was altogether improbable, that any person who had hazarded his life in such a wicked and dangerous attempt, as attacking, binding, and threatening to murder the post-boy, and carrying away the Bristol-mail; and then laying it down any where, for another to reap the profit. He said that they had laid a trap for him; but could not positively say, that the witnesses bore him any ill, only he mentioned the great reward laid upon his head.

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He appeared to be a man of sullen reserved temper. He seemed always to be very devout and serious; declared that he sincerely repented all his sins, and died in peace with all mankind, and an unworthy member of the church of England.

When I came to chapel, in order to recommend the condemned criminals to God, as usual, before they die, they told me, that this morning Hugh Houghton had tied the sword belt, which he wore about him, to the grate of the cell window, and his handkerchief to the end of his belt; and that he tied his neck in the handkerchief, and had his hand at the handkerchief, putting it in order to strangle himself. That by the time they came to him, he was dead, although they had been with him about twenty minutes before, when he was with apparent devotion, praying, and singing psalms. It is to be feared that he was a hypocrite, and that little of what he said can be believed.

He hanged himself in Newgate, on Sunday, May 12, 1730.

SAMUEL CHERRY, *for Murder, December, 1731.*

SAMUEL CHERRY was indicted for the murder of Peter Longworth, by giving him with a drawn sword, one mortal wound near the left pap, of the length of half an inch, and depth of two inches, August the seventeenth, of which he languished till the twenty-third of October following, and then died.

Lewis Jones. Ant please your lordship, my name is Lewis Chones, ant I was upon the place of action all the time, ant I took creat notices ant opserfations of esery thing, so as I can kif your lortship as coot and petter an account as any potty. Put my lort I have been waiting ant attenting here this tree tays,
ant

ant pringing creat charges upon myself, while I might haf been toing of pusiness, and ketting of monies, which is a fery create hartship upon me, and therefore I peck your lortship to confitter of it, that I may have some satisfactions for all my pains ant trouples, and charches.

Court. In civil cases a man might demand something for his time and trouble, before he gives evidence; but here the case is different, and no such thing is allowed.

Lewis Jones. Well, my lort, since this case is tiferent, and a man must not tement satisfaction before he kifs his effidence, I supmit to co on, put I hope your lortship will speak to his machefty to confitter of it hereafter. And so afs I was telling your lortship, I was in the Artillery-Grount, near the wall, on the seventeenth of August, and there was some poyes that cry't, Small coal! small coal!

Court. Do you know any thing of the murder?

Lewis Jones. Yes, my lort; but kif me lief to tell my tale my own way, ant I will kif you a full and true account of the short ant the long of the story.

The teceaset stoot within a yart of me, ant the prissoner was stanting century ofer the arms, at the farther corner. Soon after, a man came ant took up a firelock, and I myself hasing the honor to pe a little acquaintet with military art, was the resson of my making remarks upon what came in my way. And so I took notices that the prissoner run after the man, ant prought pack the firelock. Then I gave myself time to make more opserfations, and there was a poy cry't, Small coal! two pence a peck! and so I thought proper to make enquiries apout the Small Coal; ant some potty tolt me, that the prissoner was a Small Coal Man; and py that I fount the poy was making came of him. And inteet, he was tevelish angry at it;

it; for when he heert 'em cry Small coal, he pecun to crin his teeth ant pe in a passion; and when I saw that his plut was up, I pecun to take more opserfations, as you shall hear py and py. So teceaset hat cot a pit of mutton in his hant, and he sait, Who will lend me a knife to cut a pit of meat, to stop that man's mouth, that he man't spoil his teeth with crining? Ant a woman sait to the prissoner, you should not be so inrigid. And he struck her with his hant, and sait, Tam her plut for a pitch, what pusiness wass it of hers? And some potty sait, it was a creat shame that a man that cry't Small Coal, apout the street for his pread, should pe trustet with a naket swort, when he coul't not keep his hants off a woman. So the prissoner crint his teeth, and threatened to stick some of them. And I lookt apout for more opserfations, and see two trums fall down, put it wass not the teceaset that mettled with 'em. Ant then the prissoner was enrached, and trawed his packonet, ant run ofer the arms after him; whereof I fount there was mischief coing forwart, and so I took creat notices of efery think. Then the prissoner struck the teceaset with the flat site of the packonet, and sait, Stant py! and then the teceaset took his fist a thrust'n, and I went to the prissoner, I think you call it tarting, for I call it so in my Welch way. Ant upon that the prissoner took his swort so—and stopt him in the left site. Then the teceased aint a plow at the prissoner's right eye and sait as how he woul't fight him. No, honest frient, says I, you shan't fight now because you are a dead man.—He was not among the arms when the prissoner run after him.

John Downs. The prissoner was set centry over the arms. He went to another centry who was opposite to him, and struck him, for not drawing his sword. A woman said, this is some busy meddling fellow. Upon which he struck her too, and said, D—n you, stand

stand off. I asked him if he was not ashamed to strike a woman? He d——d me, and bid me stand off. The deceased, who was at a little distance, said, the man is a hungry, and that makes him so angry: give him a piece of mutton. The prisoner crossed over the arms, and said to him, stand off! the deceased held up a piece of mutton, and said, Here, will you have a bit or no? And at the same time made a motion to fight; but I don't know that he struck the prisoner, and then the prisoner stabbed him in the stomach.

John Read. The arms were grounded near the muster table. The prisoner struck the opposite centry, but not in anger, and said, why don't you draw your sword? A woman said, Small Coal! several boys took the hint, and ran about the prisoner, crying Small Coal! Small Coal! he struck some of them, and they in revenge pushed down the drums. The deceased came up with a piece of meat in his hand, and said, you look as if you were a hungry, will you eat a bit of mutton? I did not see him strike the prisoner, but I saw the prisoner thrust at him with a sword.

Daniel Woodham, surgeon. I attended the deceased.—The first week I thought he was out of danger. In three weeks the wound appeared to be well; but he afterwards grew worse, and died in October. I believe the wound was the cause of his death, though there was no sign of it before the body was opened. It entered just below the breast-bone, by the cartilago ensiformis, and passed obliquely upwards. The breast was full of bloody matter: there might be two quarts. The left lobe of the lungs was wounded, as it appeared when dilated, and it had dropped till it was almost lost. It was a very uncommon case.

Starkey Middleton. I am of the same opinion. The left part of the thorax was full of corrupted matter and

and blood. The left lobe of the lungs was almost wasted. He was continually wasting away. As the wound went upwards, it must rest on the diaphragma.

The Prisoner's Defence.

Prisoner. I marched for my master in the trained bands, and was set centinal over the arms. One took up a firelock, I stepped after him, and made him bring it back. Others took up other firelocks on purpose to teaze me, called me, Jack in Office, and threw stones, I bid the woman keep off, but did not strike her. The deceased said, I was a bread and cheese soldier, and if I behaved well I should have an egg for supper. He smeared the arms with a bit of meat, and then kicked the dust on them. I told him, if he would not keep back, I would give him a slap, and I struck him with the flat of my sword, upon which he struck me in the face several times. I retreated, and held my sword thus—— to keep him off, and whether the mob pushed him, or he came forward of himself, I can't say, but he run against the point of my sword.

Most of these particulars were confirmed by several witnesses, and others gave him the character of a peaceable, sober young man, and not subject to quarrel, swear, or give abusive language.

The jury acquitted him.

ROBERT HALLAM, *for the Murder of his Wife, January, 1731-2.*

ROBERT HALLAM was indicted for the murder of Jane his wife, she being then big with child, by throwing her out of a window one pair of stairs high, upon a stone pavement, whereby she received

ceived several mortal bruises, of which she instantly died, December 9.

Charles Bird, the prisoner's apprentice. On Wednesday, December 9, about eleven at night, I went to bed, and fell asleep, but was waked by a noise between twelve and one. I heard my mistress, in the room under me, cry Murder! For God's sake don't murder me! for the Lord's sake, Robin, don't murder me! pity me, for Christ's sake! for my poor family's sake! Then she called to me, Charles! Charles! Charles! And once she cried louder than ordinary. The prisoner said, G—d d—n ye, what do you want with Charles? I was afraid he would come up to me, and so I stepped out of bed, and was going to get out of the window to save myself, but a child that lay with me (who was lame, and could not speak plain, tho' it was ten years old) cried Sharly! Sharly! do not go. So I went into bed again. I heard a great many violent blows, which by the sound, I thought were given with the tongs or fire-shovel. By and by the neighbours cried murder! and I heard the street-door open. I thought the people without had broke it open, but presently the prisoner came up stairs into his own chamber; I knew it was he, because I heard him scolding again. I got up about six in the morning, and as I was going down stairs, I heard a low voice, (which I thought was my mistress's) and it said, Charles, strike a light, and draw some beer in the tin-pot. And I did so, and brought it up, and the voice said, set it down upon the chest; which I did, but I neither saw his nor her face, for they were both covered in the bed. Then the voice bid me make a fire, and I made one, and while I was blowing it up, I heard two or three dismal groans. This was between six and seven in the morning, and then I went to my work at the plying-place, a stone's

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throw from our alley. The prisoner is a waterman, and I am his apprentice. About eight o'clock Job Allen came and told me my mistress was dead. Then I have lost a very good mistress, says I, and so I ran home and saw Dr. Smith and the constable, and the prisoner, and found it was too true, my poor mistress was dead indeed.

Prisoner. You said you thought it was I that came up stairs, because you heard my voice afterwards. How do you know but it was your mistress that came up?

Bird. I thought it was not possible for her to come up so readily, after so many violent blows had been given her.

Prisoner. Did you hear us both go down?

Bird. I do not remember that I heard any more than one.

Prisoner. When you came home to dinner the day before this happened, did not she say she would give you no victuals, for she designed to make away with herself?

Bird. No, there was cold beef for dinner. I desired she would let me broil it, and she said with all her heart. She was as good a woman as ever broke bread.

Ann Anderson. I live next door to the prisoner. There is only a thin deal partition betwixt his room and mine. Between twelve and one that night, I heard him say to his wife, G—d d—n ye, tell me the truth. Several blows were given. I waked my husband, and said, Hallam's beating his wife according to custom. She got from him, and ran down stairs, and out at the street-door, he followed. I opened my window, and saw him beat her in the street, and force her in again. He shut the door, and while she was in the entry she called Charles! Charles!

Charles ! Charles ! When they came into the chamber again, I heard a great many unmerciful blows, which by the jarring sound, I thought were given with the fire-shovel or tongs ; and as if her breath was almost gone, she cried, Oh ! Oh ! Oh ! The blows were more like beating an ox than a woman big with child. Soon after she cried, O Robin ! spare my life ! don't kill me, for God's sake ! for Christ's sake ! for my poor infant's sake ! Then I heard a struggling and rustling towards the window. She gave a lamentable shriek, and presently some, thing rushed from the window with such violence, that I thought the window frame had followed. This was between twelve and one. I jumped out of bed, and ran to the window, and looked out. He ran down stairs, and out of doors in his shirt, with a candle in his hand. His wife was lying in the street. He d—d her for a b—h, and said, she was drunk, and setting the candle down on a bench, he took her up by the arms, and dragged her backwards up the steps into the entry, and shut the door. As he was hauling her in, I called out, You villain ! you have thrown your wife out of the window, and killed her. The neighbours were alarmed, and came out, and said, For Christ's sake don't use the poor woman so, but let somebody help her. But he would let nobody. When he had got her in, I heard several groans, and thought she might be in labour, for she was so near her time, that she looked every hour. But about six o'clock she died ; and half an hour after, he went and brought a midwife. O ye villain, says I, you have called a midwife now your wife is dead ! about nine, I went in, when the doctor was there, and he said, she had been dead a long time. Her right hand was cut across the fingers, and the window-post was bloody with struggling. The prisoner said,

see how the wicked jade has cut her hand with the glass window in getting out. But I looked, and there was not one pane of glass broke, nor any of the glass bloody, but only the post.

His wife shewed me her arms twice, a good while ago, and they were as black as your lordship's gown, and therefore he has bore me malice ever since.

Swan Anderson. The prisoner came home between eleven and twelve at night, and began to beat and abuse his wife. She ran down stairs, but he followed, and caught her just without the street-door, and beat her so barbarously, that he raised all the neighbours. He beat her through the entry up stairs, and in the chamber. She cried, O! O! O! and afterwards, O Robin, what are you going to do? for God's sake spare my life! don't kill me for Christ's sake! for my poor family's sake! Then I heard a struggling and a rustling, like the rustling of a tarpauling. The woman gave a great shriek, and something rushed at once out of the window. I could hear very plain, for there's only a thin partition parts his room and mine. I and my wife jumped out of bed, and went to our window. The deceased was then lying on the stone pavement like a log, and neither stirred hand nor foot. The prisoner came out with a candle, and setting it down, he took her by the shoulders, and hauled her upon her back up three steps. My wife and others called to him, but he took no notice of them, but shut the door, and dragged the deceased up stairs. It must be he that did it, for nobody was there to do it but himself. I heard several heavy groans.

Prisoner. Did not she walk up stairs herself?

Swan Anderson. Walk! No, it was impossible she should.

Prisoner.

Prisoner. Did not you afterwards hear her speak in the chamber?

S. A. No, and I believe she was not able to speak; but I heard you mutter something to yourself.

John Fleming. I live next door to the prisoner, in the back part of the house, and can hear every word that is spoke in his room. I have frequently heard out-cries of murder. Particularly about three weeks before her death, he beat her, and swore he'd be her butcher, if he was hanged for it. She cried out, Oh! for God's sake, mercy! pity me! pity the tender infant within me! D—n ye for a b—h, says he, I'll send you and your infant to the devil together, I'll split your skull, and dash your brains out against the back of the chimney! I know I shall come to be hanged at Tyburn for ye. And the night she was killed, I heard him give her a great many blows: for God's sake, says she, and for my poor children's sake, don't murder me! Then she called Charles! Charles! Charles! And afterwards gave a great shriek. I heard Mrs. Anderson get out of bed, and open her window, and say, he has thrown his wife out of the window. I struck a light, and saw it was half an hour after twelve. And he was taken up, I heard him say, I will not wrong my conscience, I believe the blows I gave her, and my threatening to fetch my cane, made her go out of the window, but I was not then in the chamber. He was before a justice nine months ago, for throwing her on the bed, while he had a knife in his mouth, and threatening to rip her up.

Prisoner. Did not the blows sound as if they were against a door, to get it open?

J. F. No, they sounded as if struck against a human body.

Prisoner. Had she any marks after she was dead?

J. F.

J. F. Yes, all her left side was black, and so was the body of the child within her, and part of its head was greenish.

Ann Anderson. I found a great many marks of black and blue, that must have been made by dreadful blows.

James Furnell. I and Richard Horsford were going along the street that night, and near a hundred yards before we came to the prisoner's door, I heard the blows, and an out-cry of Oh! Oh! As we came nearer, the cries encreased. Says I, to Mr. Horsford, This fellow will kill his wife. We passed the door, for we were going to a house beyond, but thinking we had gone too far, we turned back. And I heard the woman say twice or thrice, for God's sake, Robin, save my life; don't throw me out of the window. I did not imagine the fellow would be such a villain; but suddenly the casement burst open, and she came out with her back foremost, and fell upon the stones. There was a candle in the chamber, and I saw a man, which I believe was the prisoner, near the window. I was within ten yards of her when she fell. She groaned, but was not able to rise. The prisoner presently came down with a candle, and took her by one arm, and said, G—d d—n ye, for a drunken b—h, get up; but finding her helpless, he set down the candle, took her by both arms, dragged her in, and locked the door. She had neither stocking nor cap on, but only her shift, a flannel petticoat, a lose gown, and one shoe: we went and told the watch, but they only laughed at us, and next morning I heard she was dead.

Prisoner. Did you see me push her out?

J. F. No; but I heard a rustling like opposition, and as she came out, she gave a terrible shriek, and when

when you came down, you was in your shirt and night-cap.

Richard Horsford. Coming along rope-maker's-fields, with Mr. Furnell, and just as we turned out of Church-lane, I heard several blows, and going nearer, a woman crying out, murder! For God's sake, Robin, spare my life: spare my life this time. This fellow will kill his wife, says Mr. Furnell. No, says I, 'tis only a family quarrel, and we shall get no thanks for meddling between a man and his wife, and so we past the door; but, thinking we had gone beyond the place we were going to, we turned back, and heard the woman cry, For God's sake Robin, don't throw me out at the window! For the Lord's sake spare my life! I looked up, and suddenly the casement flew open, and she came out at once with her back foremost: I saw the glimpse of a man in the room. She lay on her back like one dead. A man came out in his shirt with a candle, and put one hand under her, to lift her up, G—d d—n ye, for a drunken b—h, says he; but, finding he could not manage her with one hand, he set down the candle, and dragged her in with both. We went to the watch-house at Dick's Shore, but none of the watchmen were there, and at last we found them at an alehouse.

Elizabeth Emerson. I saw the deceased the afternoon before she was killed, and she said to me, I shall be murdered to night, for my husband is gone to Will. Perkins's, and there he'll get drunk. He has kept an account of my reckoning, from the 11th of March, but now he has moved it to the 11th of April, and told me, if I would not lay the child to a man in the country, he wished the devil might fetch him in a flame of fire, if he did not murder me when he came home. And so she desired me to leave

leave my door open, that she might run in and hide herself. I promised her I would. I don't know whether she was coming to my house or no, but he met her, and she turned back. He beat her up stairs, and swore he would make her remember leaving the house. Afterwards I heard something fall into the street. I ran out, and then he was dragging her by the shoulders, and, when he had got her into the entry, he threw her down, and said, Dead or alive, lie there! It was his usual practice to beat her unmercifully two or three times a week.

Sarah Lane, midwife. On Thursday morning before eight, the prisoner called me to come to his wife, and desired me to make haste. I thought she might be in labour, for I knew her time was out: but he told me, she had got of the window, while he was in another room. When I came to her, she was dead, her face, hands, and feet were quite cold, but her body was a little warm. One asked him, how she got up stairs? and he said, she walked up. At night we stripped her. There was a great bruise on her left arm, and several bruises on her back and sides, like slashes. Her right hand was cut. The child was full grown, and black from head to feet.

Sarah Adams. A little after twelve, On Wednesday night, I happened to be up, and a neighbour said to me, Hark! there's a crying out, our little neighbour is in labour. But presently there was a great shriek, and cry of murder. So I went and sat at Mrs. Mingo's door, which is almost opposite to the prisoner's door. The deceased cried, For Christ's sake, don't murder me! For God's sake! For my own family's sake, spare me! Charles! Charles! Charles! G—d d—n you for a b—h, says the prisoner, what do you want Charles for? several blows followed. The window was forced open, and she came out, and
seemed

seemed to catch at the sign-post, but missed it, and fell upon the ground, and gave dismal groans. The prisoner came out in a speckled shirt, with a candle, and said, G—d d—n the b—h, she's drunk, and has thrown herself out at the window. He dragged her in, shut the door, and then went up, and shut the casement, and put out his candle. Mr. Furnell and his friend were coming by when she fell.

Eliz. Mingo. I says to my mother, Lord, mother! Mr. Hallam is beating his wife, she came out at the door, and he hauled her in again, and afterwards I heard more blows, and heard her shriek, and then heard her come lump out of the window.

Joseph Woodward, surgeon. I viewed the body of the deceased. Her arm had three or four bruises, like the marks of a stick. There was a wound in the palm of the right hand, above an inch long, and a quarter deep: it seemed to be a stab with a knife. I did not take notice of the small bruises. I opened the body. The abdomen was full of contused blood. The infant, which was dead, but full grown, was forced out of the womb all but its feet. I believe the fall was the cause of her death and the child's.

Mary Thompson. Hearing dismal groans, I said to Mrs. Adams, there's a woman in labour. But Mrs. Mingo cried murder. Then I heard the deceased cry, For God's sake, spare my life! don't murder me to-night, for my poor children's sake! the prisoner took up the tongs, or shovel, as I guessed by the sound, and gave her several blows. She shrieked, and presently came backwards two double out of the window. I heard her groans, and saw the prisoner come out with a candle, and drag her in.

Ann Brewit, the deceased's mother. The prisoner brought a bold sort of a woman to my house to ly-in,
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and said to my husband, Father will you let her stay here? No, says my husband. Then says the prisoner, your daughter shall suffer for it. My daughter complained to me near a year ago, that he put a knife in his mouth, and threw her upon the bed, and went to cut her open.

The Prisoner's Defence.

Prisoner. I shall call witnesses to give the court full satisfaction of my innocence.

Eliz. Wilkinson. The prisoner keeps an ale-house, the three Mariners, in Rope-maker's-fields, Lime-house.—About ten o'clock, the morning before his wife died, I went thither for a pot of beer. She was sitting by the kitchen fire, but taking no notice of me, I said, Lord, Mrs. Hallam, what is the matter with you? why, says she, I am thinking when the d-v-l will come for me.

Lydia Stevens. About four o'clock on Thursday morning. I was going out to wash, and called at the prisoner's house for a pint of beer. He had got a pot of water in his hand, and he said, my wife has thrown herself out at window, and I wish you would carry up this water while I draw your drink. So I went up and asked her how it happened. Why, says she, I cannot very well tell. I unfortunately dropped myself out of the window, and if I should do otherwise than well, there is Anderson and Fleming so hard mouthed that they will swear my husband's life away, but he is innocent of throwing me out of window. The window is about a yard from the floor.

Ruth Tate. I heard Betty Mingo, the fish-woman, cry out murder! Mr. Pidgeon said, What is the matter? and she answered, Mrs. Hallam has thrown herself out of the window. I saw the prisoner take

his

his wife up, and carry her in, but did not hear him say any thing.

Sabina Gibbs deposed to the same effect.

Hannah Radbourn. The morning before she died, she was sitting by the fire in a melancholy mood. I asked her what was the matter? Why, says she, the devil is got in me, and will never leave me till I have made away with myself.

Mary Carman. A fortnight before she died, she shewed me her arm. It was black, and she said, her husband had hit her with a pint pot; but says she, if any thing extraordinary should happen to me, those people at the next door will swear my husband's life away.

Andrew Radbourn, the prisoner's brother-in-law. About four o'clock on Thursday morning, I saw Lydia Stevens washerwoman, at the prisoner's house, and he was coming up with a pint of beer in his hand, and he said his wife had hove herself out of window. I went up, and asked her how it happened. She said she had been disturbed in her mind, and was possessed with the fear of the devil, and so she hove herself out: and says she, Fleming and Anderson are so malicious, that they would swear away my husband's life, but he was in the room when I did it, and therefore I desire you would put off your voyage, and appear for him at his trial. I never knew any dispute betwixt him and his wife.

Nathaniel Gull. After the prisoner was committed, I heard his apprentice, Charles Bird, say, that the prisoner was not in the room, but on the stairs, when his mistress fell out of the window.

Charles Bird. I don't know this Gull. I never saw him in my life before.

George Taylor. I am subpoenaed on both sides. I heard Charles Bird say, that he was asleep when the

quarrel begun. The prisoner told me, that for three guineas he could procure witnesses to confront the king's evidence, and prove his wife lunatick: I asked him how it happened? He answered, I won't wrong my conscience, I believe the blows I gave her, and my threatening to fetch my cane, made her throw herself out of window. She cut her hand in getting out. Go and see if the glass is bloody. I looked, but found no blood, nor was the glass broke, but only cracked, so that it could not cut her hand. In taking an account of the goods, I found in his waistcoat pocket a dirty cap of his wife's, which was a little bloody.

Tho. Dowty. The prisoner told me she cut her hand with the hook of the window, but I looked upon it, and it was not bloody.

James Turner. Charles Bird told me, that the day before his mistress died, she called him names, and he asked her why she did so? and she said, she did not care what she did, for she must die that night.

Will. Perkins, Thomas Chetwin, Charles Waters, and others, gave the prisoner the character of an honest man.

Prisoner. I had ten hours to make my escape, which I should have done, if I had been guilty; but I chose to stay and take care of my children. I am as innocent of her going out of the window, as the child in the womb.

The jury found him guilty. *Death.*

The Ordinary's Account.

THE account he gave of the murder was, that he went out with company the day before, and coming home pretty late, went directly to bed. But his wife sat on the bed-side, turning her garter in her hand, and

and not like to come to bed, he desired her several times to lie down; she would not, but at length run to the door, and down stairs. He jumped out of bed, and overtook her at the street-door, and took her by the neck of the gown, and forced her back into the house. Upon this, while he was locking the street-door she ran up stairs, and shut the chamber-door, with the poker, or some such thing. He having the candle in his hand, and being in his shirt, desired her to let him in, otherwise he threatened to beat her with his cane; but it was hanging on a nail in the bed-chamber where she was. Then he endeavoured to open the door by force, which he at last did, and as he was coming in at the door, she threw herself out at the window backwards.

I asked him how her hand came to be so wounded? He said that dropping down by the hands it had been hurt upon the iron hook which keeps the window open, and that she had fallen down upon her feet, but being big with child, the fall had killed the child and her both.

He reflected always on a woman, who declared several things contrary to this, and that she had no good will to him.

As to the two men, who swore that the woman cried out murder! for God's sake don't murder me, Robin, don't cast me out at window, &c. He could make no account of it, only he said he heard no such expressions, and the fright she was in, for fear of his beating her unmercifully, was the occasion of her crying out, murder! but that he did not strike her that night, excepting two or three hearty blows, after his dragging her in, when she first went out.

I insisted that it was a very clear circumstantial proof that they saw a man in the room when she went out of the window; and he owned that there was

was no other man in the house but himself. He said, he could not help it, but the matter was fact as he told it.

His ancient father came to visit him; he fell on his knees, wept and cried most bitterly, and insisted on his innocence, at least of heaving his wife out of the window. But that he was too severe in swearing at her, threatening and frightening her out of her wits, and to death, and beating her in a barbarous, cruel, and outrageous manner, he could not deny.

He gave a paper consisting of prayers, vows, and protestations to almighty God, mostly taken out of scripture, and a devout and frequent prayer for his children.

He appeared to be a discreet, sensible, knowing and civil man; but the great misfortune of both him and his wife was, domestic discords, and mutual jealousies: although both of them bore a fair character of all the neighbourhood. He seemed to have been of a hasty, passionate temper, never quarrelsome nor impertinent, but obliging to every body, respected by his equals, and often honoured with the company of men in a superior station. Very uneasy and barbarous to his wife, altho' he loved her to the last above all women, and never intended to murder her. He at several times shed tears, but whether through fear of death, or in evidence of a sincere repentance, we cannot possibly determine; for at other times he did not appear so much affected as one would wish.

He declared himself penitent, that he hoped to be saved by the mercy of God, through the merits of Christ, and that he heartily forgave all injuries done him, as he expected forgiveness.

Hallam shewed a great deal of resolution, and undaunted courage in his carriage, very desirous of,
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*Sarah Malcolm apprehended for the murder of W.
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and attentive to prayers, and when proper prayers were near a conclusion, desired earnestly, as the last favour to be granted him upon earth, that the blessed sacrament might be administered to him, which was accordingly done.

I asked Hallam, if it was true that he, with some others, had murdered the mate of a ship, upon, or some way nigh to the river, and thrown him into the sea, and carried off 700l. which they knew he had about him? He said it was a most scandalous and false report, for he never was concerned in any murder. When prayers were over, Hallam looked to the coach where I, with some others were, and smiling said, (meaning the evidences) The Lord forgive them, for they know not what they have done.

SARAH MALCOLM, *alias MALLCOMBE, for the Murder of ANN PRICE, Spinster, ELIZABETH HARRISON, Spinster, and LYDIA DUNCOMB, Widow, February 4, 1733.*

SARAH MALLCOLM, alias Mallcombe, was indicted for the murder of Ann Price, spinster, by wilfully and maliciously giving her with a knife one mortal wound on the throat, of the length of two inches, and the depth of one inch, on the fourth of February, of which wound the said Ann Price instantly died.

She was a second time indicted for the murder of Elizabeth Harrison, spinster, by strangling and choaking her with a cord, on the said fourth of February; by reason of which strangling and choaking the said Elizabeth Harrison instantly died.

She was a third time indicted for the murder of
Lydia

Lydia Duncomb, widow, by strangling and choaking her with a cord, on the said fourth of February, by which strangling and choaking, the said Lydia Duncomb instantly died.

She was likewise indicted on the coroner's inquisition for the said murders.

She was again indicted for breaking and entering the dwelling-house of Lydia Duncomb, widow, and stealing twenty moidores, eighteen guineas, one broad piece, value twenty-five shillings, four broad-pieces, value twenty-three shillings each, one half broad-piece, value eleven shillings and sixpence, twenty five shillings in silver, a silver tankard, value forty shillings, a canvas bag, value one penny, and two smocks, value twelve shillings, on the said fourth day of February, about the hour of two in the night of the same day.

To all which indictments she pleaded not guilty.

The time of her trial was appointed to be on the Friday following, at ten of the clock in the morning.

On Friday, February 23, 1732, Sarah Malcolm was brought to the bar, in order to take her trial.

Counsel. If your lordship pleases, we will begin with the indictment for the murder of Ann Price; and, if the jury shall find the prisoner guilty of that, we shall not give the court any further trouble.

Court. Proceed in your own method, gentlemen.

Clerk of the arraigns. You the prisoner at the bar, these men which you shall hear called, and personally appear, are to pass between our sovereign lord the king and you, upon trial of your life and death: if you will challenge them, or any of them, your time is to challenge them, or any of them, as they come to the book to be sworn, and before they be sworn.

Then

Then the twelve jurors, who tried other prisoners on the London side, were sworn and counted.

Clerk. Sarah Malcolm, otherwise Mallcombe, hold up your hand. Gentlemen of the jury, look upon the prisoner, and hearken to her cause.

She stands indicted by the name of Sarah Malcolm, otherwise Mallcombe, late of London, spinster; for that she not having the fear of God before her eyes, but being moved and seduced by a devilish instigation, on the fourth day of February, in the sixth year of the reign of our sovereign lord the king that now is, in the Inner-temple, in London aforesaid, in and upon Ann Price, spinster, against the peace of God, and our sovereign lord the king, then and there being, then and there she the said Sarah Malcolm did make an assault, and with a knife made of iron and steel, of the value of three-pence, which she the said Sarah Malcolm, then and there in her right hand held, feloniously, violently, and of her malice aforethought, on the throat of the said Ann Price, did strike and cut; by which striking and cutting the said Sarah Malcolm did give to the said Ann Price one mortal wound, of the length of two inches, and depth of one inch; of which mortal wound the said Ann Price instantly died; and that so she the said Sarah Malcolm, in manner and form aforesaid, feloniously, violently, and of her malice aforethought, the said Ann Price did kill and murder, against the peace of our sovereign lord the king, his crown and dignity.

She likewise stands charged on the coroner's inquisition for the said murder. Your charge is to enquire whether she be guilty of this felony and murder, whereof she stands indicted, or not guilty. If you find her guilty, you are to enquire what goods and chattels, lands or tenements she had at the time

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the said felony or murder was committed, or at any time since. If you find her not guilty, you are to enquire whether she fled for it: if you find that she did fly for it, you shall enquire of her goods and chattels, as if you had found her guilty. If you find her not guilty, and that she did not fly for it, say so, and no more, and hear your evidence. But if you acquit her on the coroner's inquest, you must find how Ann Price came by her death.

Counsel. My lord, and you gentlemen of the jury, this is an indictment by which Sarah Malcolm, the prisoner at the bar, stands charged with the murder of Ann Price, by cutting her throat in the chamber of Lydia Duncomb, in the Inner-temple.

I shall not endeavour to aggravate a crime in its own nature so horrid, but shall lay before your lordship and the jury, some particulars relating to the fact.

Mrs. Lydia Duncomb was a widow lady, about eighty years of age; she had lived forty years, four pair of stairs high, in the Inner-temple: she had one maid, Elizabeth Harrison, who had lived with her many years, and was grown old in her service, for she was about sixty, and very infirm withal; but though she was now past her labour, the good lady (who was bed-ridden herself) retained her still, in respect to her former faithful services, and hired others to do her work: the prisoner had formerly been employed on such occasions as a chair-woman, and, by that means, had an opportunity of becoming acquainted with Mrs. Duncomb's circumstances. But about three months ago, Mrs. Duncomb hired Ann Price, (the unhappy creature, for the murder of whom the prisoner stands indicted) to be a constant servant; she was a young maid, not above seventeen. Mrs. Duncomb had a middling fortune left her by her husband; and thus she lived with her two maids
contented,

contented, and in peace, till this night, this fatal night, the 4th of February ; when (if my instructions are right) the prisoner entered the chambers of this little family, and cruelly deprived them both of their lives and their money.

This barbarous fact was undiscovered till Sunday noon, when Mrs. Love, who used to visit Mrs. Duncomb, came to dine with her. She found the door shut, and having no answer when she knocked, she concluded that the old maid was sick, and that the young one was sent out on an errand : she waited a considerable time for her return, but to no purpose. She wondered what could be the meaning of it, and went down to Mrs. Rhymer, (who was Mrs. Duncomb's friend, and lived in the Temple) and acquainted her with it. Mrs. Rhymer came back with her to the door, but could get no entrance. They then began to think some misfortune had happened ; and meeting with Ann Oliphant, a laundress, (whose master's chambers were opposite to Mrs. Duncomb's) they persuaded her to get out of her master's garret window, and so into Mrs. Duncomb's chambers. She did so, and opened Mrs. Duncomb's door. They entered : but the surprize, the horror they were in, is not to be expressed, when the first object they fixed their eyes on, was the poor unhappy young maid murdered ! inhumanly murdered ! and lying weltering in her own blood, her hands clenched, her hair loose, and her throat cut from ear to ear. A terrible spectacle ! but this was not all, the tragical scene did not close here ; the honest old servant lay strangled on her bed, and a little further, her good old lady, robbed of her life in the same manner.

Those who lodge in the Temple must be under a particular consternation on this account, when by their manner of living, they are obliged to trust the

keys, their chambers, their properties, and even their lives to others.

About twelve the same night, Mr. Kerrel coming home found the prisoner (who was his laundress) in his chambers; he little expected to see her there at such an hour. He had heard of these murders, and that she had formerly chaired for Mrs. Duncomb, he asked her if any body was taken up for the murders? She said, No. He told her, it was suspected the fact must have been done by somebody that was acquainted with the deceased: and, as he had heard, that she had formerly done business there, she should continue no longer in his service, and therefore bid her look up her things and go. Upon examining, he missed some of his cloaths, and she confessed that she had pawned them. This made him still more uneasy, and he resolved she should stay no longer: upon which she went down stairs. His suspicion caused him to search further, and in the close-stool he found some linen, and a silver tankard, with the handle bloody. Looking under his bed, he found a shift and an apron all bloody. These discoveries gave him an extraordinary concern; he called the watch, and sent them after her: and such was the evidence of God, that she had not power to go beyond the Inner-temple gate: there she was found sitting between two watchmen; she was brought back to him; he shewed her the tankard and the linen, bloody as they were, and asked her if they were hers? she said, Yes; and that the tankard was left her by her mother. The officers of the Temple carried her to the constable, by whom she was taken before alderman Brocas.

These are the facts, and if we can prove these things were found upon her, and that she owned them to be hers; and, if we prove they were not hers,

hers, but Mrs. Duncomb's, I believe the jury will have no difficulty to find her guilty.

John Kerrel. The prisoner has been my laundress about a quarter of a year. She was recommended to me as an honest woman, by a gentleman in the Temple. On Sunday the 4th of this month, as I returned from Commons, I met Mr. Gehagan, and going with him through Tanfield-court, we found a mob there, and enquiring what was the matter, we were told of the murders that had been committed. Says Mr. Gehagan, This Mrs. Duncomb was your Sarah's (the prisoner's) acquaintance. We went forward to the coffee-house in Covent Garden; there we heard several discoursing about these murders, and it was the general opinion, that they must have been committed by some laundress, who was acquainted with the chambers. From thence we went to the Horseshoe and Magpie, in Essex-street, where we staid till one in the morning, and then returned home. I found my door open and the prisoner in my room. So, Sarah, says I, are you here at this time of night? You knew Mrs. Duncomb; have you heard of any body that is taken up for the murders? No, says she, but a gentleman who had chambers under her, has been absent two or three days, and he is suspected. Says I, No body that was acquainted with Mrs. Duncomb shall be here, till the murder is found out; and therefore look up your things and go away. In the mean time Mr. Gehagan went down to call the watch, but he could not find the door readily, and so he came up again, and I went down to call two watchmen, and brought them up, and I found her turning over some linen in my drawers. I asked her who it belonged to? She said it was her own. I went into the closet, and missing my waistcoats, I asked her what she had done with

with them? She called me aside, and said she had pawned them at Mr. Williams's in Drury-lane, for two guineas, and prayed me not to be angry. I told her I was not so angry on that account, but I suspected she was concerned in the murder. The next thing I took notice of was a bundle lying on the ground; I asked her what it was, she said it was her gown. And what's in it, says I? Why linen, says she, that is not proper for men to see; and so I did not offer to open it. I searched further, and missed several things of my own, and found other things that did not belong to me, and then I charged the watch with her, and bid them take her away, and take care of her. When she was gone, I found another bundle in my bed-chamber; upon this, I called to Mr. Gehagan, and shewed it him; whereupon we resolved to make a thorough search, and so we looked in the close stool, where we found some more linen, and a pint silver tankard, with a bloody handle. We then went to one of the watchmen again, and he said, he had let her go, upon her promising to come again at ten o'clock in the morning. I bid him find her out by all means. He hipped to his brother watchmen at the gate, and they went and brought her to me. I shewed her the bloody tankard and linen, and asked her, if they were hers? She said, Yes; they were left her by her mother. I asked, how the handle of the tankard came to be bloody? She said, she had cut her finger; and as for the linen, she said it was not blood upon it, but a disorder.

Court. What kind of linen was it? Did you open the bundle?

Mr. Kerrel. I opened that which I found in my bed-chamber; but my confusion was so great, that I don't know whether it was shifts or aprons. She told

me

me the tankard had been in pawn, and that she had pawned my waistcoats to redeem it. The watchman carried her to the watch-house, and there they found a green silk purse, with 21 counters, in her bosom.

Court. Are you positive, that she owned the tankard and the linen to be hers?

Mr. Kerrel. Yes; but the linen in her gown was left unopened, till after she was sent to the watch-house.

Prisoner. Was the linen found in the close-stool bloody?

Mr. Kerrel. I am not sure whether it was that, or the linen I found under my bed was bloody, for I was very much surprized, and I brought one parcel down, and Mr. Gehagan brought another, and we threw them down in the watchman's box, and so they were mixed together.

Court. Shew the tankard to the jury, and unseal the linen, and let them see that too, and the other things.

Mr. Kerrel. This is the green silk purse that was found upon her in the watch-house; she said, she found it in the street; but somebody taking notice that it was clean, she then said she had wash'd it since. This is the gown that some of the linen was wrapped in, and this is the bloody apron that was found under my bed, and which, she said, was not bloody, but the marks of a disorder.

Prisoner. Was the linen wet or dry?

Mr. Kerrel. I can't say which, but it was bloody.

Prisoner. Did you take it up?

Mr. Kerrel. I took up that under the bed, and in the close-stool. The clean linen that was in the drawers she took out herself, and the watchman afterwards fetched away that which was in the gown.

Prisoner.

Prisoner. Was the gown bloody, or the shift bloody in the sleeves, or the bosom, or any where but in the lower part?

Mr. Kerrel. I cannot say.

Court. Is the shift here?

Mr. Kerrel. Yes.

Court. Produce it then, and let somebody look on it.

Ann Oliphant, (looking on it) I think here's a little blood on the upper part of the bosom.

Prisoner. Upon your oath is it blood or a stain?

Ann Oliphant. I cannot be positive; but it seems like the rest.

Prisoner, to *Mr. K.* Did you suspect me on account of finding me in your chambers so late on Sunday night, or was it because you saw me counting money there on Sunday morning?

Mr. Kerrel. I saw no money that you had on Sunday morning. I suspected nothing of you, till I found you so late in my chambers.

Prisoner. Swear him if he did not see me counting money in the morning, or if he did not count it after me?

Mr. Kerrel. No, I did not.

Prisoner. Did not you count 90l. in your own bed after me?

Mr. Kerrel. No, I say I know nothing of it. If you had so much money, you might have fetched my things out of pawn.

Prisoner. What! did not you reckon how many broad pieces and moidores, and how much silver there was?

Mr. Kerrel. No, if I had, I should have suspected you afterwards; but I had not then heard of the murder, for it was not known till two in the afternoon, and after I had heard it, I went to the coffee-house,

house, and did not return home till one o'clock on Monday morning. If I had seen you have so much money on Sunday morning, I should have had such a suspicion of you, when I first heard of the murder, that I should have come home directly.

Prisoner. 'Tis hard that he will deny, upon his oath, what he did with his own hands.

Court. What time in the morning was this?

Prisoner. About nine o'clock; and he asked me where I had it? and I told him from some relations in the country.

Court. What time did she come to your chambers?

Mr. Kerrel. About nine in the morning. I sent her for some tea. Mr. Gehagan breakfasted with me, and she staid till about ten o'clock, when the horn sounded for commons.

Counsel. There was, you say, clean linen taken out of the drawers?

Mr. Kerrel. I think this is the same.

Counsel. Was there any blood upon it?

Mr. Kerrel. No, I should have seized her presently, if I had found any blood, before she went away first.

Counsel. Did she own that clean linen to be her's too?

Mr. Kerrel. Yes.

John Gehagan. I have chambers over the Alienation-office, three pair of stairs high. Mine are on the left hand, and Mr. Kerrel's on the right, we are very intimate together. On Sunday morning the 4th of February, I rose about eight o'clock, and saw Mr Kerrel's door shut. About nine, the prisoner came up, and opened his door, and went in, and it was not ten minutes before he came to my bed-side, and, says he, You was a good advocate for me last night, and I'll give you a breakfast. He gave her

NUMB. XIV.

X

a shilling

a shilling to fetch some tea; she made it, and staid till the horn blew for commons. And after commons he and I went out together. Going through Tanfield-court, we found a mob there, and seeing Mr. Clark, a writer, we asked what was the matter? He told of the murder, and said to Mr. Kerrel, this is your laundress's acquaintance. We went to a coffee-house in Covent-garden, where some gentlemen, talking about the murder, said, they should suspect some of the laundresses. We staid there till eight, and then went to the Horse-shoe and Magpie in Essex-street, where we staid till one in the morning, and then going home, we found his door open, a fire and candle in the room, and the prisoner standing by the fire-side. Says Mr. Kerrel, Sarah, this Mrs. Duncomb was one of your acquaintance, have you heard of any body's being taken up for the murder? She said, that one Mr. Knight, who had chambers under Mrs. Duncomb's, was suspected. Well! says Mr. Kerrel, I'll have nobody stay in my room, that was acquainted with Mrs. Duncomb. I went down to call the watch, but there being a double door to the Alienation-office, I fumbled, and could not get it open, so he came down and brought the watch up. He missed his waistcoats, and asked her where they were? She desired him to let her speak a word with him in private? He said, No, I have no business with you that needs be made a secret of. Then she told him they were pawned. He kicked a bundle that lay in the closet, and asked her what it was? She said it was an old gown of hers, with a shift and apron in it; but it was a very indecent sight for a man to see, and therefore desired him not to look into it, and so he put it aside again. Then the watch took her down, and when she was gone he looked under his bed, and found another bundle:

zounds!

zounds! says he, here's another bundle of linen that this b—h has left behind her; and looking further, he found the linen and the bloody tankard in the close-stool. We went down together, and he called to the watch, and asked him where the woman was? The watchman said, he had let her go. You dog, says Mr. Kerrel, go and find her again; or I'll send you to Newgate. The watchman soon met with her, and brought her to us. You bloody murdering b—h you! says I, was it not enough to rob the people, and be d—d to you, but you must murder them too? I'll see you hanged; you b—h! you bloody b—h you! So I shewed her the tankard, and she began to wipe the handle with her apron; but, says I, No, you bloody b—h, you shan't wipe it off. She said it was her own, and that her mother gave it her, and that she had fetched it out of pawn, where it had lain for 30s. You bloody b—h you, says I, your mother was never worth such a tankard. I had much ado to keep my hands off the b—h.

Court. How came you to know that the prisoner was acquainted with Mrs. Duncomb?

Mr. Gebagan. She told me so herself.

Court. Did you see the linen that was taken out of the close-stool?

Mr. Gebagan. Mr. Kerrel gave me that linen and the tankard, and I carried them down. I saw this bloody apron and bloody smock taken out of the gown. The bundle was in the closet when Mr. Kerrel missed his waistcoats; but it was not opened then; the watchman fetched it away afterwards.

Prisoner. Was the blood on the tankard dry?

Mr. Gebagan. It appeared then to be fresh.

Prisoner. Was the blood on the shift and apron wet or dry?

Mr. Gebagan. I don't know certainly.

Prisoner. Who took the shift up?

Mr. Gebagan. I had it in my hand; the blood on it was like that on the tankard, which I thought was wet.

Prisoner. It had been folded up ever since till now, and if it was wet then, it must be damp still, if no air has come to it. Was the linen in the close-stool bloody, and what linen was it?

Mr. Gebagan. I don't know what linen it was, nor whether it was bloody or no.

Prisoner. Was the linen in the gown delivered to me before I went to the watch-house?

Mr. Gebagan. No; on her saying it was indecent, it was left, but the watchman came afterwards, and said the constable thought it necessary to have the smock and apron.

Prisoner. What gown had I on?

Mr. Gebagan. I don't know.

Prisoner. I would ask Mr. Kerrel the same question.

Mr. Kerrel. You came up in that blue riding-hood you have on now, but I did not mind what gown.

Prisoner. Had I any blood on my cloaths, or was I clean dressed?

Court. Why it was Monday morning when you was taken, you had twenty-four hours time to shift your cloaths.

Prisoner. Had I shifted myself with clean linen?

Mr. Kerrel. I don't know, I did not observe.

John Mastreter. I was on my watch in the Temple that night the murder was done; and nothing passed but gentlemen going to their chambers. Next night, or Monday morning at past one o'clock, Mr. Kerrel called watch! I went up to him, and he bid me call another watch, and so I brought Richard Hughs to him.

him. Then Mr. Kerrel said, come up, watchmen; so we went up and he searched his drawers, and what linen was not his own he threw out.—Then he went to search for his cloaths in a portmanteau-trunk in the closet, where he missed his waistcoats, and asked the prisoner what was become of them? She said she had pawned them. He said he could freely forgive her for pawning them, but he suspected she was concerned in the murder, because he had heard her talk of Mrs. Lydia Duncomb; therefore, says he, watch, take care of her, and do not let her go. So we carried her down, and as nothing was found upon her, I and my brother watchman agreed to let her go, upon her promising to be forth-coming at ten in the morning. It was a very boisterous night, and in five minutes after she was gone, Mr. Kerrel and Mr. Gehagan came down with a bloody tankard and bloody linen. Mr. Kerrel asked me where the woman was? I said I had let her go. Says he, if you do not bring her again, I will take care of you. So I called my brother watch, and he found her sitting between two other watchmen at the Temple-gate. We carried her back to Mr. Kerrel. He shewed her the tankard, and asked her whose it was? She said it was hers, that she had had it these five years, and that it was given her by her mother. He asked her how the handle came to be bloody? She said, she had a prick in her finger, and she shewed it me. It looked as if it was done with a rusty nail.

Counsel. Did it appear to be a fresh hurt?

John Mastreter. No; but a prick she had, I am certain of.

Prisoner. Was the blood on the tankard wet or dry?

John Mastreter. I cannot tell; but I believe it was dry, because it did not bloody me when I took hold of it.

Prisoner.

Prisoner. Mr. Gehagan swore it was wet.

Mr. Gebagan. She rubbed it, and I thought it was.

John Mastreter. I had not the tankard in the chamber, but it was brought down to me.

Prisoner. Was you by when the bloody linen was taken?

John Mastreter. No, the other watchman had that. It was clean linen that was given me.

Counsel. These things were found after one o'clock on Monday morning, which was twenty-four hours after the murders, and therefore I don't see of what service it would be to the prisoner, if she could prove that the blood was dry; might it not very well be dry in that time?

Richard Hughs. As I was upon the watch in the Temple, at past one o'clock on Monday morning, I heard Mr. Kerrel call watch! my brother watchman, (Mastreter) went, and then he called me too; we went up stairs, and the prisoner opened the door to us. Mr. Kerrel looked in his drawers, and in the middle drawer there was a pair of ear-rings, which she owned, and took them out and put them in her bosom.—In another room there was some cloaths, and he asked her about his waistcoats, she went to whisper him, and said they were pawned; he was angry with her, and said, Why did not you ask me for money? then he bid me and Mastreter take care of her; but as we were not charged with her before a constable, we thought we had no occasion to keep her in custody, and so we discharged her; she went as far as Tanfield-court-arch, and then she turned back, and said it was late, and she lived as far Shore-ditch, and therefore had rather sit up in the watch-house all night than go home. No, says I, you shall not sit up in the watch-house, and therefore go

about

about your business, and be here again at ten o'clock. She said she would come at ten, and so she went away. But soon after she was gone, Mr. Kerrel came down with a tankard and some clean linen, and very angry he was that we had let her go. I went after her, I found her at the Temple gate, sitting betwixt two watchmen : I told her Mr. Kerrel wanted to speak with her, and, that I might get her along the more easily, I said, that he was not so angry then, as he was before, and so I brought her with me : he shewed her the tankard, and she said it was her mother's ; he asked how it came bloody, she said she had pricked her finger.

Court. Was it fresh blood upon the tankard ?

Richard Hughs. It looked much as it does now. Then I carried her to the constable and there left her, and went away and filled my pipe. But presently I recollected, that when I was in Mr. Kerrel's room, I kicked a bundle in a gown, and asked what it was and she said her shifts and apron were in it, and not fit to be seen. I told the constable of it, and he sent for it ; and so I went and asked for the bundle, whereof the shift and apron were put.

Court. Whereof ? wherein, you mean ; look upon them, is that the apron, and that the shift ?

Richard Hughs. I am sure these are the same ; for I unfolded them in the chamber, they were both bloody as they are now.

Prisoner. Was the blood wet or dry ?

Richard Hughs. I am not sure which.

Prisoner. It is hard if he opened them, and handled them, and saw they were bloody, and yet cannot say whether they were wet or dry.

Ann Love. I had been acquainted with Mrs. Duncomb thirty years. On Sunday the fourth of February, I went in order to dine with her ; it was exactly

actly one o'clock when I came to her chamber-door. I knocked and waited a considerable time, but nobody answered; I went down to see if I could find any body that had seen any of the family, or knew whether the maid was gone out or no. I met with Mrs. Oliphant, and asked her; she said she had seen none of them. I went up again, but could make nobody hear: then I concluded that the old maid, Elizabeth Harrison, was dead, and that the young maid, Ann Price, was gone to her sister's to acquaint her with it. I went then to Mrs. Rhymer, who was Mrs. Duncomb's executrix; she came with me, and I went up again with her, but we could not get the door open; I looked out and saw the prisoner at my lord bishop of Bangor's door; I called her up, and said, Sarah, prithee go and fetch the smith to open the door. She said she would go with all speed, and so she went.

Counsel. Why did you call her?

Ann Love. Because I knew she was acquainted with Mrs. Duncomb. The prisoner returned without the smith. Mrs. Oliphant came to us, Oh! says I, Mrs. Oliphant, I believe they are all dead, and the smith is not come, What shall we do to get in? she said, she believed she could get out of her master's chamber into the gutter, and so open Mrs. Duncomb's window; I desired her to do so by all means: she accordingly got out upon the leads, broke a pane of glass in Mrs. Duncomb's chamber-window, opened the casement, jumped in and opened the door, and I and Mrs. Rhymer and the prisoner went in.

Counsel. And what did you see there?

Ann Love. In the passage, the poor young girl Nanny lay murdered upon her bed, and wallowing in her blood, with her throat cut from ear to ear.

In the next room the old maid Elizabeth Harrison

lay

lay dead, and was thought to be strangled; and in the next room to that, Mrs. Lydia Duncomb dead too, and strangled in her bed; and her box, where she kept her money, was broke open, and nothing left in it but some papers.

Counsel. Do you know that tankard?

Ann Love. No; if it was hers, I suppose she kept it locked up, for I don't remember that I have seen it in use.

Counsel. Have you seen the prisoner in Mrs. Duncomb's chambers at any time before those murders?

Ann Love. Yes: I was there about eight o'clock the night before the fact, and Mrs. Oliphant and the prisoner were then in the room.

Counsel. Do you know on what account the prisoner came?

Ann Love. She pretended she came to enquire of the old maid's health.

Counsel. What time did she go away?

Ann Love. She and Mrs. Oliphant went away a little before eight, and I staid about a quarter of an hour after.

Counsel. When you went, did any body lock the door after you?

Ann Love. I don't know; it was a spring lock, and there was a bolt within-side, and I believe it was bolted when Mrs. Oliphant got in at the window; for when she opened the door, I thought I heard the bolt pulled back.

Counsel. Did the prisoner ever live with Mrs. Duncomb?

Ann Love. She was her chair-woman before last Christmas.

Counsel. Did the prisoner use to lie there?

Ann Love. I am not sure of that.

Counsel. Have you seen her there at any other time than what you have mentioned?

NUMB. XV.

Y

Ann

Ann Love. Yes : about a month before the murders she came there, under pretence of looking for the key of her master's chambers.

Prisoner. If you saw me there when the murder was discovered, do you know what cloaths I had on ?

Ann Love. I did not take notice of your cloaths, but I desired you to make a fire, and so you did.

Counsel. Did you to see any thing lie upon the table ?

Ann Love. There was a case-knife, with a white handle, but the blade was broke short off.—I did not see the blade.

Counsel. What became of that broken knife ?

Ann Love. I don't know ; it was taken away, but I cannot tell who took it.

Ann Oliphant. Mr. Love came to me, and said, she had been knocking at Mrs. Duncomb's door, and could not get in, and that she believed Mrs. Betty, the old maid, was dead, and that Nanny was gone to acquaint her sister with it, and that the old lady could not get up. This was about one o'clock, and at two she told me she had sent Sarah, the prisoner, for a smith to break open the door, but he was not come, and she knew not how to get in. Says I, my master Grisly's chambers, you know, are opposite to Mrs. Duncomb's. He went away last Tuesday, and Mr. Twysden has left the keys with me to let the chambers. Now, I will see if I cannot get out of his chamber-window into the gutter, and so into Mrs. Duncomb's apartment. She desired me to try, and so I did : I got into the gutter : I broke a pane in Mrs. Duncomb's window, opened the case-ment, and went in. Here is the window, and here is her door ; the door was locked and bolted ; I opened it, and Mrs. Rhymer, and Mrs. Love came in : I did not then see the prisoner, but I believe she came soon

soon after. In the first room we found the young girl, Ann Price, with her throat cut from ear to ear, her hair loose, and hanging over her eyes, and her hands clenched thus.—In the dining-room we found Elizabeth Harrison lying upon a press-bed; she was strangled, her throat was scratched: Mrs. Lydia Duncomb lay across her bed in the next room, and she was strangled too.

Counsel. Was the prisoner there then?

Ann Oliphant. Yes, and she talked to me, but I was so concerned that I don't know what she said, and in a few minutes the mob came in.

Counsel. Was not you at Mrs. Duncomb's the night before the murder?

Ann Oliphant. Yes, I went to see her about eight o'clock; she said she was sorry my master was gone because it was so lonesome. The prisoner was then sitting by the fire by Mrs. Betty, and Mrs. Betty said, My mistress talks of dying, and would have me die with her. I got up to go away, and the prisoner said she would go down with me; and so she did, and we parted in Tanfield-court.

Counsel. You say you opened the casement, and found the door locked and bolted; how do you think the persons, who did the murder, could get in and out?

Ann Oliphant. I don't know. I heard somebody say, they must get down the chimney, it is a large kitchen chimney; but I could thrust the lock back, it is a spring lock: I have often put to the bolt myself without-fide, to save Mrs. Betty the trouble of coming to shut the door after me.

Counsel. Have you shut the bolt, do you say, when you were without fide?

Ann Oliphant. I mean the bolt of the lock, not the other bolt.

Counsel. Is there any way for a person to get out and leave the door bolted?

Ann Oliphant. I know of none.

Counsel. Cannot they get out at the stair-case window?

Ann Oliphant. No: they have lately been barred.

Counsel. Mr. Grisly's chambers had been empty, you say, ever since Tuesday, could they not get in to his chambers, and so into hers?

Ann Oliphant. I don't know: there is a silly lock to his door, and I believe it may be easily picked.

Frances Rhymer. I have known Mrs. Duncomb thirty years; and within these three or four years she has been very infirm, and her memory much decayed, and therefore she desired me to receive and take care of her money, and she made me her executrix.

Counsel. Then you have seen her box where her money was kept?

Frances Rhymer. Yes; I have opened it twenty times.

Counsel. Do you know this tankard?

Frances Rhymer. Yes, very well, it was hers. She used to put her money in it, and the tankard and money were both kept locked up in her box.

Counsel. Have you seen any money in the tankard lately?

Frances Rhymer. Yes; I kept the key of this box, and the Thursday before her death she asked me if I had got her key? I said yes, and she said she wanted a little money. I asked her how much? She said about a guinea. So I opened her box, and took out a bag; it was a hundred pound bag, it lay at top of the other money in the tankard.

Counsel. Is this the bag?

Frances Rhymer. It was such a bag as this.——
I carried it to her by the fire-side, and gave her a guinea out of it.

Counsel

Counsel. And how much do you think was left in the bag?

Frances Rhymer. There might be, I believe, about twenty guineas.

Counsel. You say, the bag lay upon other money?

Frances Rhymer. Yes, besides what was in the bag there were several parcels, that she had sealed up in papers for particular uses. There were six little parcels sealed up with black wax, I believe there were two or three guineas in each. In another parcel she told me, there were twenty guineas to be laid out in her burying, and in another there were eighteen moidores.

Counsel. Moidores I suppose you mean.

Frances Rhymer. Yes, I believe they call them moidores. These, she said, were for me, to defray any extraordinary charges that might happen. Then there was a green purse, with thirty or forty shillings in it for poor people.

Counsel. Look on that green purse, do you think that is the same?

Frances Rhymer. I think it was not so long a purse as this.

Prisoner. Will she take her oath to every farthing of money that was in the box?

Frances Rhymer. No, I don't pretend to that.

Counsel. This, you say, was on Thursday, what did you observe in Mrs. Duncomb's chambers on the Sunday following?

Frances Rhymer. When Mrs. Oliphant let us in, the first thing I took notice of was the poor young creature in the passage, with her throat cut from ear to ear; then in the dining-room there lay Mrs. Betty, strangled; and in the other room I found Mrs. Lydia Duncomb in the same sad condition, and her strong black box was broke open, and all the money and the tankard were gone.

Prisoner.

Prisoner. You was there when I was called up, what cloaths had I on?

Frances Rhymer. I was too much concerned to take notice of your cloaths,

Prisoner. Was the door locked or bolted before Mrs. Oliphant opened it?

Frances Rhymer. I don't know,

Prisoner. Did you see any way that a person could possibly get out and leave the door bolted?

Court. Some body did get in and out too, that is plain to a demonstration,

Frances Crowder. I knew Mrs. Duncomb six or seven years. I know this tankard; about five years ago she desired me to sell some plate for her, and then she shewed me this tankard, but, says she, I would not sell this, I intend to keep it for a particular reason, only I would have you ask what its worth,

D

Her plate was marked with a D and a C [C L. for her husband's name was Charles.] She made use of the tankard to put her money in. And afterwards she told me, that she intended the tankard for her niece Keely.

Counsel. Look on that clean linen. These are the shifts that were found in Mr. Kerrel's drawers.

Frances Crowder. Mrs. Duncomb's shifts had a particular cut, and I verily believe on my oath, that these were hers. I have one of hers here, that is the very same in every respect. They are all darned too in a particular manner; there is not one piece on all her linen, but all is darned.

Prisoner. Have they any particular mark?

Frances Crowder. No, there is no mark, but they have all the same cut and darning.

Prisoner. One shift may be cut like another.

Frances Crowder. Mrs. Duncomb has cut shifts for me

me exactly in the same manner: these shifts have not been washed, I believe, for many years, but they were laid up in the box with her money and the tankard.

Prisoner. Mrs. Rhymer took no notice of this linen. It was strange that she could not see it; she that opened the box so often, must know every trifle that was in it.

Court. She was not asked that question.

Mrs. Rhymer. I have seen linen at the bottom of the box; but I did not open it, to look at it.

Court. Can you swear to that linen?

Mrs. Rhymer. No.

Thomas Bigg. Mr. Farlow came to me at the Rainbow coffee-house at Temple-bar, to go with the coroner, and view the bodies. In the first room I found the young maid, Ann Price, lying in bed with her hair loose, and only her shift on: her chin was fixed down, as if done with a design to hide the cuts in her throat. I lifted her chin up, and found three incisions; one of them was not mortal, but the middle one divided the wind-pipe, which was cut three parts through, and either this or the third wound, was sufficient to cause her death. Wounds in the wind-pipe, indeed, are not always mortal, for they may sometimes be cured; but, in a case like this where the great blood-vessels were cut, the unavoidable consequence must be death. She had no head-cloths on, and her hair was loose, and she seemed to have struggled hard for her life. In leaning over the bed, the mob pressed so hard upon me, that I was in danger of having my legs broke, so that I could not be so particular in my observations as I would otherwise have been. The next body I viewed was that of Elizabeth Harrison: she was strangled, and it appeared to have been by some narrow string,

as an apron-string, or a pack-thread: It was pulled so tight, that the skin was divided, and the mark very deep: There was likewise the mark of knuckles on her wind-pipe, and the blood had gushed out at her nose: She had a gown and petticoat on; and a pair of stockings. I knew her when I was an apprentice: She had sore legs, and for that reason, I suppose, she might lie in her stockings. Her gown too seemed to be a sort of a bed gown, and I believe, being old and infirm, she lay both in that and her petticoat too. The last body was that of Mrs. Duncomb.—There was a little crease about her neck, which was just enough to give a suspicion that it was made by a string, being tied round; but the mark was so small, that had she not been very ancient and weak, that a little matter, indeed, would have put an end to her life, one could hardly have thought that to have been the cause of her death:

Counsel. Did you see the strings on the apron?

Mr. Brigg. Yes, they were bloody at the ends.

Prisoner. Might they not have been murdered with those strings, and no blood appear in the middle?

Mr. Bigg. Yes, they might have been strangled without making the strings bloody at all: but the strings being bloody only at the ends, which when the apron was tied on, would hang before, the blood might come upon them in the same manner as upon the rest of the apron, or might be by folding the apron up before it was dry.

Prisoner. If I had this apron, and did the murder in it, how is it possible, that my shift should be bloody both behind and before?

Counsel. My lord, we shall now shew, that it was practicable for the door to be bolted within side by a person who was without.

William

William Farlow. Betwixt the door and the post there is a vacancy, through which a man may put his finger.—I put a pack-thread over the bolt within-side, and then went without, and shut the spring lock, and then drew the bolt by the pack-thread and it shut very easily.

Mr. Peters. There being a difficulty started, how the door could be left bolted within side, I took Mr. Farlow, porter of the Temple, with me; he put a string about the neck of the bolt, and then I shut him out, and he pulled the bolt to by both ends of the string, and then letting go one end, he pulled the string out.

Prisoner. It's hard that people can swear positively to so many things, and yet could not perceive what cloaths I had on.

Court. They tell you their thoughts were taken up with other things.

Prisoner. The watchmen searched me, but did they find any blood about me?

Court. You have been told already, that you had twenty-four-hours time to change your cloaths; and, that they did not mind what cloaths you had on.

Counsel. We have another witness, Roger Johnson, who is a prisoner in Newgate.

Roger Johnson. The prisoner was brought to Newgate on Monday the 5th of February: I had some knowledge of her, because she used to come thither to see one Johnson, an Irishman, who was convicted for stealing a Scotchman's pack. She saw a room where the debtors were, and asked if she might not be in that room. I told her it would cost her a guinea, and she did not look like one who could pay so much; she said, if it was two or three guineas, she could send for a friend that would raise the money. Then

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she

she went into the tap-house among the felons, and talked very freely with them. I called for a link, and took her up into another room, where there was none but she and I. Child, says I, there is reason to suspect that you are guilty of this murder, and therefore I have orders to search you; (though, indeed, I had no such orders) and with that I began to feel about her hips, and under her petticoats. She desired me to forbear searching under her coats, because she was not in a condition: upon which I desisted. Then I examined down her before, and feeling under her arms, she started and threw her head back: I clapped my hand to her head, and felt something hard in her hair, and pulling off her cap, I found this bag of money. I asked her how she came by it, and she said it was some of Mrs. Duncomb's money: but, Mr. Johnson, says she, I'll make you a present of it, if you will but keep it to yourself, and let nobody know any thing of the matter; for the other things that are against me are nothing but circumstances, and I shall come off well enough, and therefore I'll only desire you to let me have three-pence or six-pence a day till the sessions is over, and then I shall be at liberty to shift for myself. I told the money over, and, to the best of my remembrance, there was twenty moidores, eighteen guineas, five broad pieces, I think one was a twenty five shilling piece, and the others 23 shilling pieces, a half broad piece, five crowns, and two or three shillings: I sealed them up in the bag, and here they are.

Counsel. Look on that green purse, do you think that is the same.

Court. How did she say she came by the money?

Johnson. She said she took this money and this bag from madam Duncomb, and begged me to keep it

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it secret : my dear, says I, I would not secreté the money for the world. She told me too, that she had hired three men to swear the tankard was her grandmother's, but could not depend upon them ; that the name of one was William Denny, another was ——— Smith, and I have forgot the third. After I had taken the money away, she put a piece of matts into her hair, that it might appear of the same bulk as before. Then I locked her up, and sent to Mr. Alstone, and told him the story ; and, says I, do you stand in a dark place, to be a witness of what she says, and I'll go and examine her again.

Prisoner. I tied my handkerchief over my head to hide the money, but Buck happening to see my hair fall down, he told Johnson ; upon which Johnson came to me, and said, I find the cole's planted in your hair, let me keep it for you, and let Buck know nothing of it. So I gave Johnson five broad pieces, and twenty-two guineas, not gratis, but only to keep for me, for I expected it to be returned when the sessions was over. As to the money, I never said I took it from Mrs. Duncomb, but he asked me what they had to rap against me, I told him only a tankard ; he asked me, if that was Mrs. Duncomb's, and I said, Yes.

Court. Johnson, were those her words, This is the money and bag that I took ?

Johnson. Yes ; and she desired me to make away with the bag.

Mr. Alstone. On the day she was committed, Mr. Johnson sent for me, and said he had found a bag of money in her hair ; he shewed me the money, and would have had me to have taken it, but I refused. I asked him where the bag was, he said he had left it with her. I told him he should have taken that too, because there might be some mark upon it. He

said he would call her, and get it from her, and he desired me to stand out of sight, and hear what she said. I accordingly stood in a dark place, and she came up and delivered the bag to him, and desired him to burn it, or to destroy it some way or other. She said she only wanted witnesses to swear to the tankard, and for all the rest she could do well enough. She afterwards told me, part of the money that was found on her, was Mrs. Duncomb's, and taken out of her chamber; that two men and a woman were concerned with her, and that she herself was the contriver, and laid the scheme of the robbery; that she let them in, and sat upon the stairs to watch while they committed the fact, but that she knew nothing of the murder; that one Will. Gibbs had been with her from the two Alexanders, (the men who she said were concerned with her) and that she had sent them ten guineas.

Counsel. My lord, we have here her information upon oath before Sir Richard Brocas.

Who on her oath saith, that on Sunday morning last, about two o'clock, she, this examinant, was concerned with Thomas and James Alexander, brothers, and Mary Tracey, who murdered Elizabeth Harrison, Lydia Duncomb, and another person, whose name she, this examinant, does not at present know, on or about the time last mentioned, in the Temple in this city, which was done in the manner following.

That she, this examinant, had several conference, with the abovesaid persons, concerning the robbing of Mrs. Duncomb; and that about ten o'clock, on Saturday night last, James Alexander got into Mr. Duncomb's chambers, and concealed himself under a bed till about two o'clock, when he opened her chamber door, and let the said Mary Tracey and
Thomas

Thomas Alexander into the said chambers; and, that she, this examinant, stood on the stairs as a watch, whilst they committed the said murders, and at the same time stole from out of the said chambers about 300l. in money, a silver pint tankard, and a silver spoon, with divers other goods to a great value; which said money and goods were by the abovesaid persons brought down to her, and then distributed in equal portions amongst them, between four and five o'clock on Sunday morning last past.

Court. If it is upon oath it cannot be read, for persons are not to swear against themselves; all examinations ought to be taken freely and voluntarily and not upon oath, and then we can read them. Indeed if afterwards the examinant will accuse others, his information may be separately taken on oath, but but then it is not to be brought in evidence against him.

Prisoner. Johnson swears he found twenty moidores on me, and Mrs. Rhymer swore there was but eighteen lost.

Court. She was not positive, but said there might be about so many.

The Prisoner's Defence.

Prisoner. Modesty might compel a woman to conceal her own secrets, if necessity did not oblige her to the contrary; and tis necessity that obliges me to say, that what has been taken for the blood of the murdered person, is nothing but the free gift of nature.

This was all that appeared on my shift, and it was the same on my apron, for I wore the apron under me next to my shift. My master going out of town, desired me to lie in his chamber, and that was the occasion

occasion of my foul linen being found there. The woman that washed the sheets I then lay in, can testify that the same was upon them; and Mr. Johnson, who searched me in Newgate, has sworn that he found my linen in the like condition. This was the case, is plain; for how is it possible that it could be the blood of the murdered person?

If it is supposed that I killed her with my cloaths on, my apron indeed might be bloody, but how should the blood come upon my shift? If I did it in my shift, how should my apron be bloody, or the back part of my shift? And whether I did it dressed or undressed, why was not the neck and sleeves of my shift bloody, as well as the lower parts?

I freely own that my crimes deserve death; I own that I was accessory to the robbery, but I was innocent of the murder, and I'll give an account of the whole affair.

I lived with Mrs. Lydia Duncomb about three months before she was murdered; the robbery was contrived by Mary Tracey, who is now in confinement and myself, my own vicious inclinations agreeing with hers. We likewise proposed to rob Mr. Oaks, in Thames-street; she came to me at my master's, Mr. Kerrel's chambers, on the Sunday before the murder was committed; he not being then at home, we talked about robbing Mrs. Duncomb; I told her I could not pretend to do it by myself, for I should be found out. No, says she, there are the two Alexanders [Thomas and James] will help us. Next day I had seventeen pounds sent me out of the country, which I left in Mr. Kerrel's drawers. I met them all in Cheapside the Friday following, and we agreed on the next night, and so we parted.

Next day, being Saturday, I went between seven and eight in the evening, to see Mrs. Duncomb's maid,

maid, Elizabeth Harrison, she was very bad : I staid a little while with her, and went down , and Mary Tracey, and the two Alexanders, came to me about ten o'clock according to appointment. She would have gone about the robbery just then, but I said it was too soon. Between ten and eleven she said, We can do it now. I told her I would go and see, and so I went up stairs, and they followed me : I met the young maid on the stairs, with a blue mug, she was going for some milk to make a sack-poffet : she asked who those were that came after me ? I told her they were people going to Mr. Knight's below. As soon as she was gone, I said to Mary Tracey, Now do you and Tom Alexander go down, I know the door is left a-jar, because the old maid is ill, and can't get up to let the young maid in when she comes back. Upon that they went down, and James Alexander, by my order, went in and hid himself under the bed ; and, as I was going down myself, I met the young maid coming up again : she asked me if I had spoke to Mrs. Betty ? I told her, No ; tho' I should have told her otherwise, but only that she might say something to Mrs. Betty about me, and Mrs. Betty might tell her I had not been there, and so they might have a suspicion of me. I passed her and went down, and spoke with Tracey and Alexander, and then went to my master's chambers, and stirred up the fire. I staid about a quarter of an hour, and when I came back, I saw Tracey and Thomas Alexander sitting on Mrs. Duncomb's stairs, and I sat down with them. At twelve o'clock we heard some people walking, and by and by Mr. Knight came, and went to his room and shut the door. It was a very stormy night, there was hardly any body stirring abroad, and the watch-men kept up close, except just when they cried the hour. At
two

two o'clock another gentleman came and called the watch to light his candle, upon which I went further up stairs, and soon after this I heard Mrs. Duncomb's door open; James Alexander came out, and said, Now is the time. Then Mary Tracey and Thomas Alexander went in, but I staid upon the stairs to watch. I told them where Mrs. Duncomb's box stood: they came out between four and five, and one of them called to me softly, and said Hip! how shall I shut the door? Says I 'Tis a spring lock; pull it to, and it will be fast: and so one of them did. They would have shared the money and goods upon the stairs, but I told them we had better go down; and so we went under the arch by Figtree-court, where there was a lamp; I asked them how much they had got? they said they had found fifty guineas, and some silver in the maid's purse; above 100l. in the chest of drawers, besides the silver tankard; and the money in the box, and other things; so that in all they had got to the value of about 300l. in money and goods. They told me they had been forced to gag the people; they gave me the tankard with what was in it, and some linen, for my share, and they had a silver spoon and a ring, and the rest of the money among themselves. They advised me to be cunning, and plant the money and goods under ground, and not to be seen to be flush; then we appointed to meet at Greenwich, but I did not go.

I was taken in the manner as the witnesses have sworn, and carried to the watch-house, from whence I was sent to the Compter, and so to Newgate. I own that I said the tankard was mine, and that it was left me by my mother. Several witnesses have sworn what account I gave of the tankard being bloody; I had hurt my finger, and that was the occasion of it. I am sure of death, and therefore have
no

no occasion to speak any but the truth. When I was in the Compter, I happened to see a young man, whom I knew, with a fetter on; I told him I was sorry to see him there, and I gave him a farthing and a shilling, and called for half a quartern of rum to make him drink. I afterwards went into my room, and heard a voice call me, and perceived something poking behing the curtain, I was a little surpris'd, and looking to see what it was, I found a hole in the wall, through which the young man I had given the shilling to, spoke to me, and asked me if I had sent for my friends; I told him, No. He said he'd do what he could for me, and so he went away; and some time after he called to me again, and said, Here's a friend. I looked through, and saw Will. Gibbs come in; I think it was Will. Gibbs; says he, who is there to swear against you? I told him my two masters would be the chief witnesses. And what can they charge you with? says he; I told him the tankard was the only thing, for there was nothing else that I thought could hurt me. Never fear then, says he, we'll do well enough; we will get them that will rap the tankard was your grandmother's, and that you was in Shoreditch the night the murder was committed; and we'll have two men that shall shoot your two masters: but, says he, one of the witnesses is a woman; and she won't swear under four guineas a-piece, so he went away, and brought a woman and three men; I gave them ten guineas, and they promised to wait for me at the Bull-head, in Bread-street; but when I called for them, as I was going before Sir Richard Brocas, the were not there. Then I found I should be sent to Newgate, and I was full of anxious thoughts; but a young man told me I had better go to the Whit, (Newgate) than to the Compter.

NUMB. XV.

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When

When I came to Newgate, I had but 18d. in silver, besides the money in my hair, and that 18d. for my garnish; I was ordered to a high place in the gaol. Buck, as I said before, having seen my hair loose, told Johnson of it, and Johnson asked me if I had got any cole planted there? he searched and found the bag, and there was in it 36 moidores, 18 guineas, 5 crown pieces, 2 half crowns, 2 broad pieces of 25s. 4 of 23s. and one half broad piece. He told me I must be cunning, and not be seen to be flush of money; I desired him to keep it for me till I got clear, and only let me have a little now and then as I wanted it; then says he, Do you know any body that will swear for you? No, says I, can you help me to any? I would not do such a thing for the world, says he, if I thought you guilty; so he took the money and we parted; but in a little while he called me down again, and said, What have you done with the bag? I have it, says I, but what would you advise me to do with it? Why, says he, you might have thrown it down the necessary house, or have burnt it, but give it me, and I'll take care of it; and so I gave it to him. Mr. Alstone then brought me to the condemned hole, and examined me; I denied all, till I found he had heard of the money, and then I knew my life was gone; and therefore I confessed all that I knew; I gave him the same account of the robbery as I have given now. I told him I had heard my masters were to be shot, and I desired him to send them word. I described Tracey and the two Alexanders, and when they were first taken, they denied that they knew Mr. Oaks, whom they and I had agreed to rob.

All that I have now declared is fact, and I have no occasion to murder three innocent persons by a false accusation; for I know I am a condemned

woman,

woman, I know I must suffer an ignominious death, which my crimes deserve, and I shall suffer willingly; I thank God that he hath granted me time to repent, when I might have been snatched off in the midst of my crimes, and without having an opportunity of preparing myself for another world.
Guilty Death.

The Ordinary's Account.

SARAH MALCOLM, twenty-two years of age, descended of honest, creditable parents, in the county of Durham. Her father (as she said) had a pretty estate, about a 100l. a year, which he soon ran out, and then with the reversions of it, his wife, her mother, being an Irish-woman, went to Dublin, and there purchased a public place of the city, lived in good credit, and gave her very good education. Her parents coming to London about certain affairs, she came with them; and some time after that, approaching nigh to woman's estate, she went to service, and was, as I had information, in several good families. Her father dying, she got by her acquaintance, made one of the laundresses of the Temple, where she served some gentlemen for a considerable time. Before this, she was in a place called the Black-horse ale-house, where she cultivated her former acquaintance with Mrs. Tracey, and where she contracted acquaintance with the two brothers, Thomas and James Alexander.

And she said, that Tracey and these young men often advised her to rob her master, and this she always refused to do. The younger of the brothers proposed to go to her mistress, and say, that Sarah having been familiar with her master, had provided poison to dispatch her mistress, thinking if such a
A a 2 thing

thing were done, the master would marry her: but all this was only with such an amusement, to impose upon and extort money from the mistress, who was too wise to be bit with such pretences; and seeing they could get nothing, they left her, and returned to Sarah, calling the mistress an old cunning woman, cursing her, and giving her ill names. This gave occasion of the story passing through the town, that she intended to poison her mistress, which thought never entered into her mind, she having been against their going to her on that account; but her allowing them to go on such a villainous errand, certainly shewed the great wickedness of her devilish disposition. They alledged also, that she was the person who murdered an old man of the other end of the town, for which, two or three years ago, a barber was convicted, and who went to death denying the fact. She said, that there was not the least ground of entertaining any such suspicion upon her, but that she must be content to bear with such censures and reproaches, although it was hard upon her, as that the world should make her much more wicked than she really was.

As to the murders, burglary and robbery, of which she was indicted and found guilty, the account she gave me was to the purpose following. Having been acquainted with Mary Tracey, she often importuned her to rob her old mistress, who she knew never wanted a considerable sum of money, and had several valuable goods in the house.—She was not averse to this proposal, but hesitating upon it, she said, she should be taken and hanged for the same, and that it was impossible for her to do it without the assistance of some others. Upon this, Tracey named the two brothers Thomas and James Alexander; at last Sarah was prevailed upon to consent,

and

and all the four meeting together, they concerted their wicked plot, and put it in execution, as is too well known. On Saturday night, or Sunday morning ensuing, which happened to be upon the fourth day of February last, when pretty late at night they all met according to appointment; and Sarah got James Alexander, into the chambers, where he hid himself under a bed, until Mrs. Duncomb, and her old and young maid were composed to rest, and then about two in the morning, James opened the door and let in Mrs. Tracey and Thomas Alexander into the chambers, while Sarah Malcolm herself waited upon the stairs to take notice, that nobody should come to interrupt them in their villainous design.—She insisted she knew nothing of any design of murder, and she doubted, if they really had any such intentions, and that the occasion of it must be accidental; after they found some of them awake, fearing a discovery, or, if any noise were made, that they should be apprehended in the fact; the devil concurring with their own wicked minds, employed about such monstrous works of darkness, then they proceeded in a hurry to the utmost height of wickedness, to murder three innocent persons, the good old lady madam Duncomb, and her two servants, Elizabeth Harrison, and the young maid, Ann Price, who was lately come into the service; and this they did in a very barbarous manner, by cutting the throat of the maid Ann Price, from ear to ear, after she had made no small struggle for her life; and by strangling the old gentlewoman and her ancient maid, who were both sick, and could not make much opposition, with a small cord; and all the three they left in this pitiful condition lying upon their own beds, and in different rooms.

Sarah

Sarah affirmed, that she knew nothing of all this, till two o'clock that Sunday afternoon, about which time the murderers were first discovered.——Upon which they immediately proceeded to the plundering and rifling the house, out of which, as she said, they took to the value of three hundred pounds in money besides several other small things; and then they immediately came out with the rewards of iniquity in their hands, and divided the plunder pretty equally among the four, under a lamp in the Temple. I objected to her that there was not time to divide such a sum of money equally among four, and that under a lamp might, for they might be discovered; then she alledged, that they had made their divisions in the chambers, and came down in haste, and threw above fifty pounds value, and the tankard in her lap, and then left her abruptly, without telling her any thing of the murder, only that they gagged all the three, as had been formerly agreed upon before the execution of their most mischievous and wicked plot: and this she always held by, though with a small variation: I told her that certainly she was guilty of the indictment, thus far, that she was one of the principal persons in laying the whole scheme of robbing the chambers; that she introduced them to the chamber, and watched while they went in with a design to gag them; and then that she was a partaker of the spoil; which makes her accessary, and consequently a principal person, both in the murders and robbery; she never would confess she knew of the murder till Sunday the fourth of February, about two o'clock in the afternoon.

On Sunday the fifth of March, when I preached upon the subject of murder in the afternoon, when I mentioned several examples of God's vengeance upon murderers, insisting upon the case of Cain's murdering

murdering his righteous brother Abel, she wept and cried most bitterly; but whether for the fear of death, or the shame she was to be exposed to, or remorse of her conscience upon account of her being really guilty of murder, and a due sense of her guilt, is what we cannot decide, and leave the same to the heart-searching God, who knows all things.

When she was informed that Mary Tracey and the two Alexanders were seized, she appeared pleased, and smiled, saying with seeming satisfaction, I shall die now with pleasure, since the murderers are taken.—When the boys and the woman were shewn to her, that she might see whether they were the persons whom she accused, she immediately said, ay, these are the persons who committed the murder. And said to Mary Tracy, you know this to be true, which she pronounced with a boldness which surprised all the spectators. Then turning to her again, and said, So Mary, see what you have brought me to; it is through you and the two Alexanders, that I am brought to this shame, and must die for it; you all promised me you would do no murder, but to my great surprize I found the contrary.

Some gentlemen, who came to see her in the Press-yard, importuning her to make a frank discovery of the murder, she answered with some heat, after I have been some time laid in my grave it will be found out.—Some people of fashion asking her, if she was settled in her mind, and resolved to make no further confession, she said, that as she was not concerned in the murder, she hoped that God would accept her life as a satisfaction for her manifold sins.

On Sunday about six o'clock in the afternoon, as some people were with her in her room, she fell into a grievous agony, which lasted for some time with all imaginable signs of terror and fright; one of the
keepers

keepers coming in said, Sarah, what is the matter? What has happened to put you in this disorder? She pretended it was occasioned by her being told at chapel that she was to be hanged in Fleet-street among all her acquaintance; which she said gave her inexpressible pain; the keeper replied, I am afraid, Sarah, this is not the truth; when the dead warrant came down I acquainted you that you were to die there, so it is not probable that should surprise you so much now. Take my advice, make a full confession, and you will find your mind much easier: to this she said not a word.

When the bell-man came into Newgate to give notice to the prisoners who were to die on Monday, somebody called to Sarah Malcolm, and bid her mind what he said, she, looking out of her window, answered, that she did, and as soon as he had done, said, Do you hear Mr. Bell-man, call for a pint of wine, and I will throw you a shilling to pay for it, which she did accordingly.

Sunday night about ten o'clock she called to Chambers, one of the prisoners who were to die the next day, and who was in a cell over-against the window; she bid him be of good comfort, and asked him if she should pray along with him, he answered, do Sarah with all your heart; upon which she began to pray very fervently, and continued to do so for the best part of the night, until all her candles were burnt out; then she exhorted them not to go asleep, but to pray to God to forgive them their past offences: your time, added she, is short as well as mine, and I wish I were to go with you: as to the ignominy of your fate, let not that trouble you or your relations; good fathers may have unhappy children; and pious children may have had unworthy parents; neither are answerable for the other:

as to the suddenness of our death, consider we have had time to call for mercy; having finished her speech to these her unhappy companions, she shut her window, and laid herself down on her bed.

At the place of execution, she appeared at first pretty serene and calm, reading in a book; and as I went to wait upon her in her last moments, another gentleman was there also, who came to officiate upon that occasion, as I only desired him very earnestly to do, but this request he would by no means comply with; and then, as bound in duty, I prayed for her, and she in appearance was very serious in complying with the devotion, but she could not well compose herself, and cried most bitterly, and poured out a flood of tears all the time: when prayers were near over, I asked if she would have a psalm sung, as they commonly desire, but this she refused; and then as I was concluding the prayers, and recommending her soul to almighty God, at the point of death, she fainted away, and was a good while before she recovered. What I here deliver to Mr. Applebee to publish, is the substance of her own words, and solemn declarations to me, upon the sincerity, as she at least pretended, of a dying woman, and of one who was immediately to appear before, and answer at the tribunal of the great God: if there be any thing contradictory, or what may seem disingenuous on this account, it is owing to the unhappy temper of this unfortunate wretch, Sarah Malcolm, who often varied in her declaration concerning this barbarous murder: but this may be depended upon, that I have here delivered my sentiments as comprehensive to the world as the case of this unfortunate woman would permit me.

Just before the cart drew away she looked towards the Temple, and cried out, Oh! my master! Oh! my master!

master I wish I could see him; and then looking up to heaven, often cried, Lord have mercy on me, Lord receive my spirit, and then the cart withdrew.

She was executed on Wednesday, the 7th of March 1733, in Fleet-street, near Fetter-lane.

WILLIAM RAY, *for the Murder of his Wife, April 29, 1734.*

WILLIAM RAY was indicted for the murder of Mary, his wife, by giving her several mortal wounds and bruises on her head, face, eyes, breast and stomach, April 29, of which wounds and bruises she languished till the fourth of May, and then died.

Elizabeth Adger. On Tuesday I went to the prisoner's shop, the corner of Lincoln's-inn-fields, for a dram, and his wife, the deceased, was lying upon some straw behind the counter. How do you do, Mrs. Ray? says I. She made me no answer, but the prisoner's mother said, she was very ill. Aye, says the prisoner, she has got a black eye. How came she by it? says I. Why, says he, I gave it her accidentally. I think you are always giving her black eyes, says I. But this was her own fault, says he; for yesterday, while I was gone out with two gallons of brandy, Sam. Badham, and another, came in to drink, and that other man struck my wife on the breast. I coming home before he was gone, my wife said, will you see me murdered? And upon that, I knocked him down, but she going to take his part, I happened to give her a black eye. I went next day, when the prisoner said, his mother, Mrs. Ray, had fetched his wife away in the chair, to her house in Eagle-street, so I went to see her there. She was lying upon the

bed in a loose gown. She had a terrible black eye, and as I kneeled by the bed-side, she said, as plain as she could speak, I am killed ! I am murdered ! This was all I could understand, for she had got a great faltering in her speech by the hurt she had received. The prisoner coming into the room, I held her up, and begged her to kiss him ; she kissed me, but slid her head away from him. Three weeks after this I saw her at the shop, and the prisoner was there too. I asked her how she did ? Do, says she, bad enough. See how this rogue kills me, and cuts me to pieces. See how he has cut my gown, and see what a condition my arms are in. And indeed her arms were black and blue. So I spent six-pence to make them friends again, by the same token that I scor'd it up, and have not paid it yet.

Ann Jones. On Monday, April 29, as I was standing at Mr. Banks's door, which faces the prisoner's shop, I heard a great noise, and looking, I saw the prisoner beating his wife ; there was no soul but they two in the shop, with his fist clenched thus—he gave her a violent blow on the breast. She cried, murder ! and then he gave her a violent blow on the chest, which knocked her down. The mob gathering, I went over to my own door, which is next to the prisoner's. He came out, and asked them what they wanted ? Then he went in, and shut the door. By and by he came out again, and went over to the ale-house, Mr. Cary's, and called for a pint of beer. On Tuesday she was very ill. On Wednesday she was carried to his mother's, at a farrier's shop in Eagle-street, and on Saturday she died. I have often seen him beat her before this, and seen her arms as black as this coat, and she has frequently said, he was a murdering, thieving dog, and that she died by inches. In particular, six weeks before the last

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-quarrel

quarrel, I got up between three and four in the morning, to burn cork, for I keep a cork shop; I went to light a candle, and found the deceased dressed vastly clean, and leaning on the counter. I was surprised to see her dressed so soon. She winked upon me, and said, she had been at a labour. I laughed, and told her, when I went to a labour, I never returned so soon. She winked again, and asked me to give her hansel; so I laid out a penny with her, and went to burn my cork; which I did by the dead wall. She came to me there, and said, What do you think? My rogue has laid a pen-knife behind the counter where we lie, and swore he would cut my throat, if I did not get up directly. He beats and pinches me so, that I die by inches.

Sarah Foslrook. I live at Mrs. Griffin's, opposite to the prisoner's. On Monday, April 29, in the afternoon, I heard a quarrel in the prisoner's shop, but that being a usual thing, I did not much mind it. The prisoner came out, and went over to the ale-house, and in a little time, his wife followed, and said, You dog! you villain! you private murdering rogue! I'll skreen you no longer, for the world shall know what a rogue you are.

This was confirmed by Elizabeth Martin, who added, that about eight or nine on a Saturday night, six weeks before the last quarrel, she heard the deceased cry murder! and a soldier coming by pushed open the door, upon which the prisoner said to him, D——n your blood you son of a b——h are you come to rob me?

Ann Beldam. One morning I called for a dram, and said, how do you do, Mrs. Ray? I can't do well, says she, when I have got such a rogue of a husband. Her arm was as black as a hat, and so was her thigh, for she took up her cloaths and shewed me—such an

arm

arm, and such a thigh, I never saw in my days! lack a dasy! says I, what have you married? A rogue, says she, a private rogue! I die by inches. But I see him coming over the field; for God's sake take no notice, for I shall be kill'd if you do.

John Smallman, watchman. About three weeks before her death, as I was crying the hour of eleven, I heard murder cryed, and went in; she charged me to carry her husband before the constable, and said, if I did not she should be murdered; and while I was there, he threw a candlestick at her. I endeavoured to pacify them; but he called me, old son of a b—h, and swore he would knock my head off. Five nights after, I found him beating at his own door between one and two in the morning to get in, and I heard her ask him, if she must let him in to murder her? Says I, Why do you disturb the neighbours? D——n the neighbours, says he, and you too. And so I left him. His brother threatens to murder me, if he should be hanged.

William Fitzgerald, surgeon. I assisted Mr. Broomfield in opening the body of the deceased; there was a large livid speck on the eye-lid; under the eye I made an incision, and found no extravasated blood, but only an aqueous humour, more than usual, issued from the eye. I perceived no contusion in the head, but there was a large bruise on her arm, and another on her breast, four inches broad, and it was as black as my hat. We opened the thorax, the breast-bone, and pectoral muscles on each side were much bruised, but nothing was amiss in the heart. Then we opened the abdomen, and found a large adhesion of the lungs to the pleura. The liver was much swelled, and the largeness of it had thrust up the diaphragma, so that the lungs had no room to play.

Court. Do you think those bruises were mortal?

Mr

WILLAM RAY, *for Murder.*

Mr. Fitzgerald. Such violent bruises often produce fevers, which prove fatal.

Mr. Broomfield, the other surgeon, deposed to the same effect.

The Prisoner's Defence.

Sarah Ward. I went for a dram the day after she was beat: she lay under the counter, I asked her how she did? She said, very ill. The prisoner, her husband, said, a man came into the shop, and beat her and gave her a black eye. I hope, says I, you did not do it. No, says he, God forbid! I would not do such a thing for the world. Aye, says she, that is true, for the man called for liquor, and would not pay me; but if my husband had been here then, it had been prevented. I never saw him quarrel with her in my life.

Mary Wright. I was at her mother's house, when she was brought in. I never heard her say a word. The prisoner came three times there to see her, but not a word passed between them. She had violent convulsion fits, and died in one.

Mr. Fitzhenry, apothecary. On Thursday night, the second of May, the prisoner sent for me, and said his wife was very ill at his mother's, begged me to do what I could, and he would honestly pay me. I went, she had strong convulsions, attended with a fever; her eye was very black; she endeavoured to speak, but could not. I proposed blisters between her shoulders, and on her arms; but a woman, who seemed to belong to the house, objected to the blisters on her arms, though I know not why, and so there was only one blister put on between her shoulders. Next morning she was better, and somebody said she had spoke; but in the afternoon she grew worse

worse, and on Saturday I heard she was dead. I can't pretend to say what was the cause of her convulsions.

Court. Are bruises apt to produce convulsions, or fevers?

Mr. Fitzhenry. The least inflammation of the blood may sometimes have such effects.

Ann Ray, the prisoner's sister. The deceased was brought to my mother's in a chair, she walked up stairs with help; but growing worse, I went for her husband, the prisoner, and he laid his hand on her, but she never spoke, except Oh! to him, nor any body else, all the time she was at our house, though one of the witnesses swore otherwise; I forgot her name, but when she came into the room, I was on my knees, reading the visitation of the sick, and the deceased did not speak one word to her. Between two and three on Friday, the deceased fell into convulsions, and they held her till about the same time next day, and then she died.

Susan Ray, the prisoner's mother. The deceased being very bad, my son said to me, dear mother, have compassion on poor Molly, for now she is ill, I have no convenience fit for her in my shop. So I took her in a chair to my house. She could not speak, but she pointed to her arm to be let blood, and so I went to Mr. Ward, the surgeon, and he bled her. And the apothecary came, and *subscribed* three blisters; but I said, Let her have but one.

Court. Why were you unwilling to have blisters put on hers arms? Were you afraid the apothecary should see her arms?

Susan Ray. It was only for fear of terrifying of her too much: for I have had blisters myself, and I thought they were terrible things; and if God has ordained us to die, all that the physicians can say or *subscribe*, signifies nothing.

Court.

Court. But God has not ordained, that we should shorten our lives by a wilful neglect. Had the deceased no bruises?

Susan Ray. She had a bruise on her stomach, but that was given her by a fellow that came into the shop for a dram. Jenny Stuart saw him strike her, but they have bribed Jenny to get out of the way.

Court. Nothing of that has been proved.

The jury found him guilty. *Death.*

The Ordinary's Account.

WILLIAM RAY, twenty-one years of age, of honest parents, at the other end of the town, who gave him good education, at school, in reading, writing, and arithmetic, for business, and instructed him in the christian religion. When of age, he followed his father's trade of a horse-farrier, and the father dying about four years ago, he worked for his mother: but not agreeing with a friend, who was in the shop in company, he did not keep to his work, but idled away his time in drinking, bad company, keeping, gaming, and such diversions as are altogether improper for a tradesman, or any body who intends to do well. The wife he married kept a Geneva shop, near to his mother's, and William got acquainted with her, and thinking she had got a good business, they were both willing to contract matrimony, which was about a year ago: but it may be truly said, never two were more unfortunate in a married state than they: for instead of praying fervently to god, for a blessing upon them and their endeavours in that new state of life, as religious and virtuous people ought to do, there was little to be heard but blaspheming, cursing and swearing at one another, which commonly ended in fighting and beating of each other, and making disturbance in the
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neighbourhood. Both of them, as he said, had a great inclination to drinking, and were often fuddled, when the wife was very quarrelsome, and their bawling and scolding seldom ended without blows; so that all the time of their married state, was a life of debate, contention, and enmity.

As to the murder, he denied that he had any such intention, but that he beat her in an unmerciful manner, and that often, which he did not deny; and for excuse he pretended, that she gave him the greatest provocation, and sometimes she struck him first; but when they began to fight, he was always too many for her, and she was sure to come off in the worst manner.

He owned that the night she was murdered, he had been out a drinking, and came home very much in liquor; but as to the beating of her in an unmerciful manner, as a dying man he declare he knew nothing of it; though indeed he owned that it might be all true, for he was so drunk, that he remembered nothing of the matter, only he said, that another man, whom he had caused to be taken up, had beat her on the breast. He was very sick, and also deaf a good part of the time he was under sentence; but some days before he died, he was fully recovered, and expressed a deep sense of his sins, though he always endeavoured to extenuate his guilt, with respect to the murder. He acknowledged that he was a very idle young man, a sabbath-breaker, and otherwise negligent of his duty to God; and that, for these and other sins, he was justly afflicted. He owned the justice of his sentence according to law; declared, that he hoped for salvation thro' the mercy of God in Christ; that he was truly penitent for the innumerable sins of his life; and he forgave all injuries, as he expected forgiveness from God.

At the place of execution. Immediately after the cart drew away, some of William Ray's friends drawing him down to put him out of pain, in a minute's time, or a little more, the rope broke, and he fell to the ground, which occasioned a great deal of confusion, and then the executioner, and some about him, took him up and led him to the cart, and hung him up again, but only a little from the ground, not so high as the others.

He was executed at Tyburn, on Tuesday, July 25th, 1734.

CHARLES MACKLIN, *for the Murder of THOMAS HALLAM, May 10, 1735.*

CHARLES MACKLIN, was indicted for the murder of Thomas Hallam, by thrusting a stick into his left eye, and thereby giving him one mortal wound of the breadth of a quarter of an inch, and depth of one inch and a half, May the 10th, of which mortal wound he languished till the next day, and then died.

Thomas Arne. I have the honour to be numberer of the boxes of Drury-lane playhouse, under Mr. Fleetwood. On Saturday night, I delivered my accounts in the property-office, and then at eight at night I came into the scene-room where the players warm themselves, and sat down in a chair at the end of the fire: fronting the fire, there's a long screen where five or six may sit. The play was almost done, and they were making preparation for the entertainment, when the prisoner came in and sat down next me. And high words arose between him and the deceased about a stock wig, for a disguise in the entertainment; the prisoner had played in this wig
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the night before, and now the deceased had got it. D—n ye for a rogue says the prisoner, what business have you with my wig? I am no more a rogue than yourself, say the deceased. Its a stock wig, and I have as much right to it as you. Some of the players coming in, they desired the deceased to fetch the wig and give it to the prisoner, and he said to him, here is your wig; I have got one that I like better. The prisoner sitting by me, took the wig, and began to comb it out, and all seemed to be very quiet for half a quarter of an hour. But the prisoner began to grumble again; and said to the deceased; G—d d—n ye for a blackguard scrub rascal, how durst you have the impudence to take this wig? the deceased answered, I am no more a rascal than yourself. Upon which the prisoner started up out of his chair, and having a stick in his hand; he gave a full longe at the deceased, and thrust the stick into his left eye; and pulling it back again, he looked pale; turned on his heel; and, in a passion, threw the stick in the fire. G—d d—n it! says he, and, turning about again on his heel; he sat down. The deceased clapped his hand to his eye, and said it was gone through his head: he was going to sink, and they set him in a chair. The prisoner came to him, and leaning upon his left arm, put his hand to his eye, Lord! cried the deceased, it is out. No, says the prisoner; I feel the ball roll under my hand. Young Mr. Cibber came in, and immediately sent for Mr. Coldham the surgeon.

Prisoner. Did I shew any concern afterwards?

Arn: I believe he was under the utmost surprize, by his turning about, and throwing the stick in the fire, and he shewed a further concern when he felt the eye-ball.

Thomas Whitaker. I am a dresser in the house, under a comedy-player. On Friday night, the prisoner asked me to lend him a comedy wig to play Sancho, in the Fop's Fortune. And the next night, the deceased came and asked for the same wig; I told him I had it not, and bid him go to the other dresser. As I was afterwards waiting in the hall for my money, the prisoner came in, and asked the deceased for the wig, the deceased answered, that he should not have it, and the prisoner replied, you're an impudent rascal, and ought to be caned for your impudence. Mr. Mills, who was acting Juba, came and said, what's the matter with you? we can't play for the noise you make; the prisoner answered, this rascal has got a wig that belongs to me. Mr. Mills said to the deceased, Hallam, don't be impertinent, but give him the wig. Hallam still refused, upon which the prisoner said, G—d d—n ye, such little rascals ought to be made an example of, and so turned out of the room. I being dressed in shape, went up, and undressed. Mr. Woodford bid me bring down a scimitar, which I did, but, when I came down, I could not find him, and so I went into the scene-room: the deceased was then standing between the door and the settle. The prisoner was about three yards from him, and starting up, he made a sudden longe (whether stepping or running I can't say) the deceased clapped his hand to his eye, and made a reel, as if he was throwing himself into the settle. The prisoner seemed to relent.

Mr. Cole. The deceased came first into the scene-room, and complained that the prisoner had used him ill about a comedy wig. The prisoner soon followed, and said the deceased had used him ill and impertinently, and he insisted upon having the wig. They went out separately. The deceased came

came in again. Mr. Fabian the author of a farce to be acted that night, Mr. Mills, and others advised the deceased to let the prisoner have the wig, and Mr. Kitchen, the property-man, promised to help him to a better. The deceased fetched the wig, and gave it to the prisoner, and then Mr. Kitchen gave another wig to the deceased. The deceased held out this wig to shew it, and said he liked it better than the other; you saucy impertinent rascal, says the prisoner, I wonder how such a little scoundrel dared to take a wig out of my dressing-room; the deceased told him, he had it of the dresser. D—n ye, you dog, says the prisoner, do ye prate? And, rising up from the settle, he pushed at the deceased, who then stood stock still, between me and the settle; I was so near him, that I was afraid my own eye would have been hurt; he reeled, and I caught him in my arms.

Counsel. Who does the dressing-room, where the wig was kept, belong to?

Mr. Cole. Not to the deceased.

Q. Has every one a particular room to dress in?

Mr. Cole. There were three or four who dressed in that room, but the deceased did not belong to it. But he said the dresser gave him the wig; I believe the dresser's name is Greenwood.

Francis Lee. The deceased came into the scene-room, and said the prisoner had used him like a pick-pocket, about a wig. Mr. Mills and the author, and others, advised him to go up and fetch him the wig: Mr. Kitchen called the deceased to the end of the room, and lent him another wig; he shewed this wig, and said he would not change with the prisoner, for he had got a better; the prisoner answered, you are a scoundrel for taking it at all. The deceased replied, no more a scoundrel than yourself. Some other words

words passing, the prisoner rose up, and I think said; d—n ye, you little dog, do you prate? and then gave him the blow. He clapped both his hands to his eye, and cried, O Lor! I believe my eye is put out, and would have fallen in the fire, if Mr. Cole had not caught him. When he was set down, I asked him how he did; Lord! says he; I believe my eye-ball is shoved to the other side of my head. I believe the prisoner had him by the hand all the while the surgeon was dressing him: he lived till six the next night.

Ellis Roberts. I came in when the deceased had received the other wig. He said he liked this as well as that the prisoner had. You are an impudent scoundrel, says the prisoner; for taking it out of my shift (that is his dressing place) No more a scoundrel than yourself, says the deceased, and you are one for calling me so. Ye impudent rascal, do you prate? replied, the prisoner, and rising up; made a longe, and pushed at him.

Thomas Salway. I was sitting at the end of the settle, which will hold five or six people. The deceased stood by me, and said, if he, (the prisoner) had had a mind for the wig, he might have asked me for it in a civil manner, and not attacked me like a pick-pocket. The prisoner said; you lie; the deceased returned, I don't lie, or else you lie. Upon which the prisoner got up, and I think made one step, and said, ye little rascal, do you prate? or some such words; and then made a push at him with a stick, which entered his eye, and made a noise like a squashing. He clapped his hand to his eye, and the blood ran down his face; he tottered; but I was so shocked and frightened, that I had not power to catch him, but went out of the room: when the push

push was made, he was standing still, about three yards from the prisoner.

Counsel. Did he aim at any particular place?

Thomas Salway. He seemed to be in too great a passion for that.

Prisoner. Was it not a stick necessary for my part, as a Spanish servant?

Thomas Salway. Yes. The deceased stood close to my right shoulder.

Prisoner. Which side of him was towards me when I pushed?

Thomas Salway. His full face.

Prisoner. Did not you say, what a passionate man are you to do this mischief? and did not I answer, Good God! what will not a man do in his passion, when he knows not what he does;

Thomas Salway. There might be such words.

Mr. Coldham, surgeon. On the 10th of May, in the evening, I was sent for and dressed the deceased; he died next day, and I opened the skull, and found the stick had passed through the thin bone, that contains the eye, into the brain. That bone is extreme thin, and can make but little resistance. Had the blow been elsewhere, it might have had a less fatal effect. I was astonished that a man should die by such an instrument.—When I first attended him, the prisoner shewed much concern, and desired me take all possible care of him.

George Carpenter. I know nothing of the affair, but only was bound over to prosecute, because he had no friends.

The Prisoner's Defence.

Prisoner. I played Sancho the night before, and the wig I then used was proper for the new play, and absolutely necessary for my character, the whole force

force of the poet's wit depending on the lean meagre looks of one that wanted food. This wig being therefore so fit for my purpose, and hearing that the deceased had got it, I said to him, you have got the wig I played in last night, and it fits my part this night. I have as much right to it as you have, says he. I told him I desired it as a favour, he said I should not have it. You are a scoundrel, says I, to deny me, when I only ask that as a favour, which is my right. I am no more a scoundrel than yourself, says he, and so he went out, and I went to the prompter's door to see for Mr. Cibber. Mean while the deceased went into the scene-room, and said, that I had used him like a pick-pocket. The author persuaded him to let me have the wig, and the property-man brought him another wig. He threw the first wig at me, I asked him, why he could not as well have done that before? He answered, because you used me like a pick-pocket. This provoked me, and rising up, I said, D——n ye for a puppy, get out. His left side was then towards me, but he turned about unluckily, and the stick went into his eye, Good God! says I, What have I done! and threw the stick in the chimney. He sat down, and said to Mr. Arne's son (who was dressed in woman's clothes) whip up your coats, you little b—h, and urine in my eye; but he could not, and so I did. I begged them to take the deceased to the bagnio, but Mrs. More said, she had a room where he should be taken care of. I had then no thought that it would prove his end, but feared that his eye was in danger. But the next morning I saw Mr. Turbut, who advised me to keep out of the way, or I should be sent to gaol. I begged him to get the assistance of a physician, and gave him a guinea, which was all the money I had, From the beginning of the quarrel to the end, it was but ten minutes, and there was no intermission.

Robert

Robert Turbut. I had played that night, and was in the scene-room when the deceased came in, and seemed flushed, and said, Macklin has used me like a pick-pocket. I had this wig of Mrs. Greenwood, the dresser, and now he wants it; and I think it is as proper for my character as for his. The prisoner then came in and demanded it. Upon which, in a merry way, it was put to the question, which of them should have it, and it was agreed that the prisoner should. Mr. Kitchin came in, and said, here is another wig. The deceased then tossed the former wig to the prisoner, who said to him, why could not you have done this before? He answered, because you used me like a pick-pocket. You lie, says the prisoner, and you lie, says the deceased. You are a scoundrel, says one, and you are a scoundrel, says the other. At last, the prisoner rising up, said, you puppy get out, and pushed at him, but I believe not with any particular aim.

Mr. Rich, Mr. Fleetwood, Mr. Quin, Mr. Ryan, Mr. Thompson, Mr. Mills, Mr. Lessly, Mr. Black, and Mr. Fern, appeared to the prisoner's character, and deposed, that he was a man of a quiet and peaceable disposition.

The jury found him guilty of manslaughter.

JOHN TOTTERDALE, *for the Murder of his Wife, August 1, 1737.*

JOHN TOTTERDALE, was indicted for that he not having the fear of God before his eyes, &c. did make an assault on his wife, and thereby murdered her, August 1.

Daniel Brown. I lodged in the prisoner's house when this fact was committed. On the first day of

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last month, I went home a little before five. (The prisoner keeps a victualling-house in Vine-street, Westminster, the sign of the Two Brewers.) All then was very good humoured; the deceased was in a room with two women? she seemed to be a little in liquor, but that I don't mind. I sat down and drank with some company in the house, and the deceased went out, but where, or how, I cannot tell; that is, I did not mind; for why? It was none of my business, but she did go out of the room, and was out a quarter of an hour. I sat down and I talked with this woman here, she is a witness too, and I saw the prisoner take a knife and fork, and he went up stairs, as it happened, but indeed it was more than I knew. After the prisoner had been up stairs a little while, says the woman here, Margaret Phillips, Lord! Brown, there is a great noise in your room. Well, says I, if there is, fight dog, fight bear, and the devil part you; I have parted you too often already, for the woman told me Totterdale was beating his wife. But presently I heard, Murder! Murder! in a soft, faint tone; so upon that, I ran up stairs, and found the prisoner standing at the chamber-door, and his wife laying on the floor; he was a stamping upon her, and kicking her, I saw him stamp two or three times upon her as she lay on the floor: but I got hold of the knife to see if it was bloody, but I saw none upon it. The prisoner staid some little time below stairs, and in the mean time my wife went up, and conveyed the poor woman into my room, and then I thought all was over; but instead of that he went up stairs again. I followed him, and when we came to my chamber-door, he asked me where the key of my door was? I told him I did not know.——He then bid me ask my wife for

for it, and said, if I would not give him the key, he would break the door open, but I would not suffer him to break it open.——Upon this he went down and fetched a key, with which he opened the door; his wife was sitting upon my bed's-feet, and the curtains were drawn over to hide her.——When he first went into the room he could not find her, so I waved my hand to her, to bid her get away, but whether she was then able to stir or not, I cannot tell; she did not go, and the prisoner discovered her, and asked her where the cap was, which he had given her? It is below stairs, Jonny, says she: You lie for a b—h or a whore, and immediately flew at her: I caught hold of him, but he kicked her, and sprung out of my arms, and then he caught hold of her feet, and dragged her by the heels off the bed upon the floor; then he drew her to the stair-head, and threw her down. I don't know whether it was head-foremost or not, but she fell about seven steps, and there she lay. I was so surprized, and so frightened, that I turned back and went into my own room, and there I staid three or four minutes; then I went down, and found the prisoner had got the deceased into his own room, and had bolted and barred himself in with her. I heard the deceased in his room cry, For Christ's sake, Johnny! Johnny, for Christ's sake don't kill me! It is true, the door of this room was but a very slight door, only flit deal, but I was frightened, and could not break it open, so I went out of the house for an hour and an half, and when I come home she was dead.

Brown's wife. I had been abroad the first of August, but I came home about two o'clock, and went into my own room. I had not been there long, before I heard a noise in the next room. I opened the door, and found the prisoner was beating his wife, he asked
her

her for a cap, she said it was below, and upon that he went down stairs. When he was gone, I called Molly, Molly, come hither; so I got her into my room, and drew the curtains over to hide her, and locked the door. About five o'clock the prisoner came and opened the door, he looked about the room for her, and at last pulled open the bed-curtains; then he took her by her two legs, and hauled her off the bed on the floor, and as she lay, he stamped upon her, he kicked her all to pieces, and flung her down stairs; then he dragged her into her own room, and locked himself and her in. I thought they were gone to sleep, so went out, but when I returned, the woman was dead.

The Surgeon. The next day, or the second day after the woman was killed, I viewed the body. Upon the external view of the corpse, I saw so many marks of violence, that put me upon being careful and inquisitive in my search. I turned the body on one side, and found two or three ribs fractured. There was a stab in her right arm, that went into the joint; it was four or five inches deep, and seemed to have been made with a knife. The instrument went under the nerves, and so happened to cut no blood vessel. Upon opening the body, I found nine ribs fractured; two or three of them were broken in three or four places; one in two places, another in two or three; another was mashed all to pieces; two whereof were beat in, upon the left kidney. I observed something farther, which was very particular. There was one rib in the middle of the broken ones, that was not fractured at all; which convinced me, that the rest were broke at several times, and I imagine with the heel of his shoe; for if those that were broke, had been fractured by an instrument, it would have broke more than one at a time; it would have been almost

almost impossible that this single rib should have remained unhurt in the middle of the fractured ones. This treatment occasioned her death ; and it is my opinion, that if but one of her ribs had been fractured in the manner that three or four of them were, it would have been impossible for her to have lived.

A woman. I happened to come on the first of August to the prisoner's house to speak to Margaret Phillips, my cousin and he was then in a back-room where he lies at nights. We called for a pint of beer, so he came out and drew it for us, and was in a very great hurry for the money. Then he went backwards into the yard where he keeps hogs, and returning, he comes to us, and damn you, you Phillips, says he, where is my b—h ; I don't know, says she, unless she is among the hogs in the yard. You have hid her in your room, says he, and immediately he took up a knife and fork and went up stairs. I heard a great jumbling after he was got up, so says I Phillips, how can you sit here, and not go up ? Says she, he will run the knife into my guts. The jumbling continued a little while, and then I saw the poor creature come tumbling down the stairs, and her poor head came knock, knock, knock, upon every stair, and he kicked her all the way down, upon her breast, belly, &c. When she was at the bottom, he dragged her into a little room, and locked himself in with her ; she was not dead then, for I heard her cry faintly, Oh ! Oh ! Oh ! pray don't beat me any more ! Oh ! Oh ! dear Johnny, don't ! don't ! I could hear him very plainly, thump, thump, thump upon her. Another woman that was in the house went to the door and knocked, but he would not open it, at last the poor old mother she came, and called at the door Johnny, Johnny, but no Johnny would speak ; then she went round to another door and

and got in; but she immediately came out crying, I am undone! undone! undone! upon this, I got up and peeped in, and there was the poor woman, dead and her jaws were tied up with her cap.

Margaret Phillips. I can speak out, in an honest cause. Just before she died, the same day, he sent her out, to see if she could get a debt of five shillings, which he never expected to receive, and having occasion to go out, met her returning with the crown; she told me she had got the money, and that her Johnny would give her a Judas's kiss for it. I came back with her, and he kissed and embraced her, as if it had been the first day they were married. My cousin and I were drinking a pint of beer, and while we were together he went out in the yard, and when he came back, he asked us, where his b—h was, there he stands he cannot deny it; Your b—h, says I, why your bitch is in the yard among the hogs, I believe; for I thought he meant a b—h that he kept, and had had puppies by. Then he took a knife and fork, and as he went up stairs, I said what do you mean your wife by your b—h? God mind me, you have been just now kissing her, Aye, d—n her, says he, I will do for her, and went up stairs with a knife and fork. I saw him throw her down stairs and stamp upon her.

Q. Did you see him do any thing to her upon the stairs?

Phillips. No: but when he had dragged her into his own room, I peeped through the key-hole, and saw him stamping upon her, as if he would stamp her guts out. She died in about an hour from the beginning of the affair.

A woman. I know nothing of the murder; but I went next day to the Gatehouse, and I said John, John, what have you done? I have killed your sister,

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ter, says he ; the devil drove me up stairs to her, and when I had killed her, God would not give me power to run away.

A soldier. I was going to see the races on the first of August, and met my wife, she told me Totterdale had murdered his wife : no, no, says I, he has only half murdered her, as he frequently did : however, I went to the house, and would have gone in, but a Miss he kept forced against me to keep me out of the house, D—n you, you b—h, says I, would you hinder me from coming into a house where murder has been committed ? so I threw her against the wall, and went into the back-room, there I saw nothing ; but going into the yard, I looked in at a casement which was open, and there I saw the prisoner. We got a constable, and he asked him whether he did the murder ? The prisoner only said, he could not help it.

Prisoner. I know no more of it than the child unborn.

Q. to the prisoner. Have you any witnesses ?

Prisoner. They are not come yet.

Coroner. He has an own brother hard by ; but neither his mother, nor his brother will appear for him. Guilty, *Death.*

The Ordinary's Account.

JOHN TOTTERDALE, was born at North-Currey, in Somersetshire, and was brought up to husbandry altogether ; he had been married twelve years to his wife, when he committed this fact, and by her had had six children, two of which are now living, and are, by the interest of Mr. Paul, a brewer in Westminster, provided for in Westminster work-house,

house, since their unhappy father's confinement; for though the mother of this unhappy man is still alive at Taunton-Dean, yet her circumstances will not allow her to do for these her grand-children.

Frequent have been the uproars between him and his wife, and for this five or six years last past, the barbarous usage she received from him; has been known to all who lived near them. He had but very little to say in excuse of his horrid crime, and the whole time that he was in custody he appeared stupid and sullen, and very seldom spoke to any one. Two or three days after he had been in the Gatehouse, the deceased's sister went to see him; she cried, O John! John! how could you be so barbarous to murder your wife! he replied, the devil overpowered me, I was pushed on by the devil, both to begin and finish the deed. I cannot recall or undo what I have done, but I wish I could bring back my poor unhappy, unprepared wife from the grave again. He was asked why he did not endeavour to make his escape, after he had committed the fact, instead of continuing in the room with his murdered wife? His answer was, that he did intend to have got away, but as he was coming out of the room from the dead woman, he imagined he heard a voice saying, John, John, stay, what have ye done? you cannot go off; and from that instant he had no power to stir.

While he was in custody in the Gatehouse, he was visited often by one M——t F——r, with whom he used to keep company; she embraced him, and publickly declared, that if he should happen to be transported, she would go with him at all events, which being heard by some young gentlemen of Westminster-school, they resented the impudent behaviour

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haviour of the creature, and it was with some difficulty she escaped discipline in Tothill-fields.

He declared that he was not afraid to suffer the ignominious death that was before him, nor did he desire to avoid it; if, said he, my sentence had been, not only that I should die, but that I should die by piece-meal, by suffering tortures, as such a criminal as I must have given up life in some other nations, yet that would have been welcome to me; it is my crime, added he, and not my punishment that affects me.

The day the dead-warrant came down to Newgate, he was acquainted that he was included therein, and that he must die on Wednesday next; to which he answered, the Lord's will be done; I am ready to die, I am willing to die; only I beg of God that I may not, though I deserve it, die an eternal death, and though I die out of this world for my heinous crimes, and aggravated offences, yet I hope it is not impossible for me to be forgiven; not impossible I should live for ever in a better estate; and seeming in a transport, he cried out, God bless his majesty, and my honourable judges, they have done me no wrong, they are just, it is I that have offended, and have been guilty of the unnatural murder of my poor wife; the Lord be more merciful to me than I was to her, or else I perish. Then he desired those that might have received any injuries from him to forgive him, as he forgave all who at any time had injured or offended him.

He was executed at Tyburn on Wednesday, October the 5th 1737.

RICHARD COYLE, *for the Murder of Capt. BENJAMIN HARTLEY, August 26, 1736, tried at a Court of Admiralty, held at Justice-Hall, in the Old Bailey, February 24, 1737.*

RICHARD COYLE, stands indicted by the name of Richard Coyle, late of London, mariner, for that he, together with John Richardson, Caleb Larson, and John Davison, (not taken) have been guilty of murdering Capt. Hartley, of the St. John's Pink.

Q. Do you know the St. John Pink?

Wallis. Yes, I belonged to her five years.

Q. Was you on board this vessel in January, 1733?

W. Yes, I was the carpenter's servant.

Q. Was there any other person in the same condition with yourself? Was there any other servants?

W. There was one William Durant came a twelve-month afterwards, and after that William Metcalfe; they were on board in August, 1735.

Q. Where was the ship then?

W. The ship was at Padras when the murder was committed, and Padras is in the Morea.

Q. How many persons were then on board?

W. There was the captain and the prisoner at the bar, he was mate, and Richardson the carpenter, and a Spaniard, and John Davison, the cook, and one Caleb Larson, a fore-mast-man, he was a Dutchman.

Q. What time did you sail from Padras?

W. On Monday in the forenoon ('twas the 26th of August, to the best of my knowledge, 1735.) The morning of that day we came out of the harbour, and that night, between one and two, they began to murder the captain; I heard nothing of it till the captain came up upon deck, and then I saw the

the Dutchman, Larson, jump down, and hand up two blunderbusses, one of them he gave to the prisoner, and he (the prisoner) went towards the captain, who was then upon the fore shrouds, crying out,—Dear Mr. Coyle, what are you against me?

Q. And what did the prisoner say?

W. He said, yes he was, and told the captain it was a thing consulted among all the ships's company, and that over-board he must go, and over-board he should go.

Q. Repeat that again?

W. He told the captain, that over-board he must go, and over-board he should go: after this the captain called out to Richardson the carpenter,—My dear carpenter, are you against me too? No, Sir, says he, I am not, and immediately he and the Dutchman followed the captain up the shrouds into the fore-top; the captain ran up the shrouds into the fore-top, and the Dutchman and the carpenter followed him.

Q. Had they any weapons in their hands?

W. The carpenter had a broad axe, and the Dutchman had a blunderbuss: the captain cried out to them, For Christ's sake, for God Almighty's sake, spare my life! I will hurt none of you, if you'll spare my life! the Dutchman asked him, if he would forgive him? and the captain said, yes, if you'll spare my life, and he put out his hand to shake hands with him, but Richardson, who followed the Dutchman, said, G—d d—n you, if you offer to shake hands with him I'll chop your hands off.

Q. This was all said while the captain was on the fore-top, was it not?

W. Yes; and he begged there that they would save his life; he begged for God Almighty's sake, that they would spare his life, and he promised not

to hurt any of them, but would forgive them, if they'd but spare his life.

Q. Where was the prisoner at this time?

W. He was below with a blunderbuss, and said nothing at all just then: but Richardson told the Dutchman, if he offered to shake hands with the captains, he would cleave him down the head: then the captain begged again, that they would remember his wife and family, and the prisoner called out, and said, G—d d—n you, why don't you fetch him down? why do you stand talking to him? as we have began, we must go through with it. After this, the captain finding they were resolved to kill him, he begged for four hours liberty, by himself, but Richardson bid him come down, and swore, if he did not come down, he would cleave him down: at last he came down by one of the back stays,—he slipped down by it; and as he was sliding down by it, Coyle, the prisoner, snapped a blunderbuss at him, but it missed fire; then the captain jumped down, and got it out of his hands, and intended to throw it over-board, but it struck against the fore-sheet, and one of my fellow servants kicked it over board, with his foot: the captain had not power to heave the blunderbuss clear of the ropes, so it fell down, and my fellow servant kicked it into the sea.

Q. What followed upon this?

W. Then the captain got from them to the fore-mast, and Coyle and the other two got hold of him, and flung him over the gang-way, but he caught hold of the lanniards of the main shrouds, and cried out to us, Boys, boys, can't you do something for me! we said, we could not; one of my fellow servants got hold of me, and said, let us save the captain's life; but they said they would knock us down if

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if we offered to stir. Then the carpenter got hold of an axe, and knocked his brains out; the prisoner took up the chicken trough to strike him with, but I cannot say I saw him strike; though he was close by when Richardson knocked the captain into the sea with his broad axe.

Q. What did the prisoner say at this time?

W. I don't remember, in particular, what he said. After this they came to us, and asked us what we cried for; and they told us, if we would be content, and go with them, they would not hurt a hair of our heads. Then Richardson, the carpenter, went after the Spaniard, who was all this while at the helm of the ship, and he said to him, d—n you, why did you not come and assist us? the Spaniard's name is John Davison; he told them he was minding the helm,—he was looking after that.

Q. What did Richardson say to that?

W. He said, d—n you, and the ship, you might have let the ship have gone to hell, and have come and assisted us.

Q. Was the ship under sail at that time?

W. Yes; and went after the rate of two or three miles an hour, with a small breeze of wind.

Q. When they had killed the captain, what followed?

W. After that they went down into the captain's cabin, and broke open his scrutore.

Q. Who did?

W. Richardson broke it open, and what things they found, they put by themselves together: there was no money on board: then they loaded all the arms in the ship.

Q. What did they do that for?

W. Coyle and the Dutchman would have them down to load them, because they said, they could not tell who they had to trust to.

Q. After the death of the captain, where did you go?

W. The first land we made afterwards, was the island of Malta; but before they went to land, they made articles, and Richard Coyle, the prisoner, was made captain; Richardson went for mate, and Larson, the Dutchman, for boatswain. Then they came to us, and wanted us to sign the articles, but we were not willing; so, upon our refusing, they would not go to land, but Coyle cried out, If they won't, then bear away, boys, we'll remember them another time; we'll give them nothing but bread and water, and serve them worse than the captain was served: this he said to me and my fellow servants,

Q. Where did you go when you left the coast of Malta?

W. We put into Foviano: we wanted water, they said; but we had water enough on board: indeed they wanted fresh provisions and liquors: at Foviano they could get nothing but water; so when they came off the island in the boat, they let it lie a-stern of the ship, and the next night I and my fellow servants, and a Greek, four of us in all, got into the boat, and went a-shore: this was about midnight, when they were all fast asleep. They missed us about an hour and a half after we were gone, and they hauled out the long-boat, and went off in her from the ship: the next morning the governor sent us a-board again, with 13 soldiers, but the prisoner and his companions had left her, and were gone,

Q. What became of the vessel?

W. She was sent to Trepany, where there was an English consul, and there we performed quarantine,

Q. Where about is Foviano?

W. Foviano is near Trepany, and that is not far from the island of Sicily. When our quarantine was out,

out, I was sent to Leghorn, and from thence to Lisbon, and so to England. I never saw the prisoner after he left the ship, till I saw him at Lisbon, on board the Princess Louisa; in which ship he was to be brought home.

Q. Who do you say was made master?

W. The prisoner was made captain; Richardson, the carpenter, went for mate; and Larson, the Dutchman, was boatswain.

Q. When the captain called upon you for help, what did the prisoner say to you?

W. I don't remember what he said to us.

Q. When the prisoner took up the chicken trough, what did he do with it?

W. He was going to knock the captain on the head with it.

Q. You say, when the captain was coming down the shrouds, the prisoner snapped a blunderbuss at him? was it loaded or not?

W. Yes, it was loaded; there was three of them loaded, and lay under his cabin.

Q. Did you see the prisoner attempt to throw the captain over-board?

W. He lent a hand, but I did not see him strike him.

Q. Are you sure the blunderbuss was loaded?

W. Yes, I saw them loaded two or three days before.

Q. When the captain was struck from the landiards into the sea, did he sink presently?

W. Yes, he sunk down directly.

Prisoner. I would ask that witness, whether the captain and I had an angry word together all the voyage? And whether I was not a particular favourite of the captain's?

W.

W. The prisoner had some words with the captain a few days before we came out of the harbour at Padras.

Prisoner. At Ancona the captain paid us all our wages, and he was so kind to me, that he asked me if I wanted money, and I told him I should not have occasion for any till I came to Leghorn. I acknowledge I snapped the blunderbuss, but not with a design to kill him.

Q. Who loaded the blunderbuss?

W. The prisoner loaded every one of them himself.

Q. Call Richard Durrant:

Durrant. I was on board this Pink in the year 1735, at Padras.

Q. Who was on board at that time?

D. The prisoner, who was the captain's mate, John Richardson the carpenter, and Larson the boatswain, and Davison the cook, and us three servants, Wallis, Metcalfe, and myself.

Q. When did you sail from Padras?

D. On a Monday morning, about ten o'clock in the forenoon.

D. What happened after you came from Padras?

D. About two o'clock in the morning, the captain went to sleep; Wallis and I lay down in the cable-teer: we were wak'd with a noise, and I asked Wallis what was the matter? he said he heard a shrieking upon deck; so we ran up to go upon deck, but I saw Coyle with something in his hand, and was afraid to venture further. I saw them running after the captain, and he was endeavouring to avoid them: upon this, we went upon deck, and I saw the captain upon the fore-top, begging and praying for his life. There were the carpenter, Richardson, and Larson the boatswain, going up the shrouds after him, and

the prisoner stood at the bottom with a blunderbuss in his hand; the captain was some minutes on the fore-top, and he called out to shake hands with them; but the carpenter said, by G—d, if you offer to shake hands with him, I'll cleave you down with the axe.

Q. What words did the captain use?

D. He begged of them for God Almighty's sake to remember his wife and family: as he came down, the prisoner who stood upon deck with a blunderbuss, snapped it at him, but it did not go off.

Q. What happened afterwards?

D. The captain hauled the blunderbuss out of the prisoner's hand, and threw it, as if he intended to throw it over-board, but it struck against the tackle, and fell into the ship, and my fellow-servant kicked it over-board with his foot: after this the captain got to the middle of the ship, and the prisoner and all the rest took hold of him, and they heaved him over the rough-tree, but the captain caught hold of the lanniards, and held fast; then the prisoner took up the chicken-trough, and struck him, as he hung, several blows with it over the head.

Q. Are you sure you saw the prisoner strike him with the chicken-trough?

D. Yes, I did; and they found that would not do, so the carpenter, with his axe, struck him several times upon the head, and then he let go his hold, and dropped over-board, and was drowned immediately. We expected they would kill us too.

Q. What did they say to you?

D. They bid us not cry, they would not hurt us, and this, and that and t'other. Then they went down into his cabin, and looked over his cloaths, and got all his papers together, and burnt every one

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of

of them. The next day they shared his cloaths, and every one had his part. The prisoner had his part, Richardson and Davison had theirs, and Larson stood upon the ladder, and cried,—Who shall have this? —Who shall have this?—After this we made the island of Malta, and they had a mind to go in there for provision, but were afraid.

Q. What happened next?

D. The next thing they did, was, they went down into the cabin, and drew a paper, and they brought it to us to sign; we refused, and Richardson told us, if we would not sign it, we should go the same way with the captain: no, says the prisoner, they shall not go the same way, we'll starve them to death. After this, they talked of putting in at Malta, but they were afraid, so we made the island of Mauritimo, for they had drank all the wine out, and they wanted to put in somewhere for more, and this was a place where they need not perform any quarantine; so we brought up to an anchor that night, and, in the morning, the prisoner dressed himself in the captain's cloaths, and was rowed ashore in the yawl by two hands. We were kept a-board all that day, and at night Larson and Davison were upon guard upon deck, one of them with two pistols, and the other with a drawn sword, to prevent our getting a-shore. After this we came to Foviniano, and one night finding them asleep, we hauled the yawl to, and my fellow servants got in; I heaved the oars over-board, and then got in myself; we rowed ashore directly, and acquainted the governor; we desired they would go off directly and take them, but they said they had no orders: that night we lay on shore, and next morning, when we went on board, the prisoner, and the rest of them, were gone off in the long-boat.

Q. Was the blunderbuss, that the prisoner snapped at the captain, loaded or not?

D. It was loaded; they were loaded three or four days before; I can't say certainly who loaded them, but I know they were all charged.

Q. When the carpenter gave the blows on the head with the axe, which beat him into the sea, was he drowned?

D. I never saw any thing of him more; he sunk down directly. This was at Foviniano.

Q. Did you perform quarantine there?

D. No, at the island of Trepany.

Q. Who had the command of the ship after the captain's death?

D. The prisoner.

Prisoner. I would ask him, whether I had any animosity against the captain?

D. About two days before we came to Padras, the captain and he had some words about a townsman of his, who was at Padras. The captain had told your townsman, you was a drunken fellow; he told you again, and you came a-board and railed at the captain for it.

William Metcalfe was called and deposed the same as the last witness.

The Prisoner's Defence.

Prisoner. I have no one to appear for me, nor any friend, therefore I hope you will hear me patiently. We sailed from Leghorn, March 23; when we arrived at Messina, we took in goods, and went to a bay near Syracuse: after that, when we came to sail, the captain had some words with Larson, the boatswain, about making fast the stopper of the anchor; the boatswain got hold of the captain, and I turned

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myself

myself about and took him (the boatswain) by the collar, and said,—Caleb, what are you about to do mischief? Wallis, one of the boys, said d—n him, heave him over-board; but I released the captain out of the boatswain's hands, and he went upon the quarter deck. I said to Caleb, go after the captain, and fall upon your knees, and beg his pardon; accordingly he did so, and the captain forgave him; so we proceeded on our voyage from thence to the Morea, and we landed some passengers at Salonica; we were loaded with tobacco, and were to go from thence to Ancona. I was offered a ship, but the captain persuaded me to stay with him; no better agreement could be between two people, than between him and me: nor did I ever eat or drink worse than himself. When we had made this voyage, the captain designed to come home to Falmouth for Pilchards, upon which two Greeks we had on board, desired to be discharged; he paid them their wages, and asked me, if I wanted money? I told him it would be more agreeable to me, on account of my wife and family, to take my money at Leghorn. So the captain paid the Greeks off, and discharged them, and this Richardson, Larson, and the Spaniard, came on board in their stead. We then sailed for Padras, with money on board, which the captain had received for freight, and money received at Leghorn. We took in a cargo at Leghorn, and in the time of loading there, this was expressed by these three young gentlemen,—there was a fine sloop come from Venice, of 160 tons, which the carpenter and these witnesses, and the Spaniard, and the Greek, had agreed to cut away in the night; I heard a great deal of their villainy;—but the sloop sailing, they were disappointed in their design. Then, we being loaded, sailed about eight o'clock in the morning, the 11th
of

of August. They took all my papers, and suffered me to save nothing, but what I brought upon my back out of the ship. In the night I went to watch from eight to twelve; they came to call me, so I went upon the deck, and there I found the carpenter, the boatswain, and the Spaniard, I can't say where the boys were, I believe they might be in the steerage, but the carpenter says to me,—Coyle, if you don't take this broad axe in your hand, and stand at the cabin door, and if the captain offers to come up, if you don't knock him on the head, I will cut you in pieces. I said, pray don't do so; if you make a word on it, says he, I'll throw you over-board: so I thought best to take the axe into my hand, but, when they were gone, I threw it down again, and knew nothing of it, till the captain came running up upon deck, and they followed him. I ran round and got upon the quarter deck, then I saw the captain on the fore-top, and the carpenter and the boatswain on the fore-yard. The carpenter was an ill man, I did not like him—he had not been a-board a month,—therefore I had no commerce with him: but I seeing the captain on the fore-top, I jumped into the steerage, took up a blunderbuss, but I never loaded it, and I believe there had not been a pistol nor a blunderbuss loaded for some time, for we had not a pound of powder on board. I went for the blunderbuss to shoot the carpenter, and being very much surprised, I snapped it, (but did not know whether it was loaded or not) with a design to shoot the carpenter on the starboard side of the quarter-deck. Metcalfe and Durrant brought the captain round, and I thought they were going to heave him over-board. They know I have declared these things before, and that makes them such strong evidences against me now. I came round with my blunderbuss to strike in
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among them, I don't know I struck; but it was taken out of my hands and thrown over-board. The carpenter took the captain, he struggled, but there was never a blow struck, nor a drop of blood spilt. The carpenter made a reach at me with his axe, and said, G—d d—n you, you shall go first, which made me withdraw on the quarter-deck; then he fetched the captain a blow, but it did not stun him, so he called out to me, Coyle; Coyle, for God's sake help me! Lord have mercy on you, says I, the men are all against you, and so they hove him over-board. Then Wallis went down into the cabbin, and brought up two case-bottles, a bottle of rack, and they proposed to make punch-royal, that is, with wine in it. Next morning I said to Wallis, what a piece of work is this! d—n him, says he, it were no matter if one half of the people at Yarmouth, was served in the same manner. Before the consul of Tunis he acknowledged himself guilty, and accused every one of them but me.

Q. If you apprehended the blunderbuss was not charged, how came you to take it up and snap it?

Coyle. I never examined it: I was in a surprize.

Q. Did you go a-shore at Foviniano?

Coyle. Yes, by the carpenter's orders. I never had a rag of the captain's cloaths; the carpenter took his cabin for his own habitation. If I had had a mind to have been a villain, how came I to preserve the ship and cargo; they knew no more of it than you do. When the water was stored in the fore-castle, I desired him to go into Malta, but neither Metcalfe, Durrant, nor Wallis would go; if they were innocent, why should they refuse to go into safe harbour?

Q. When the captain was killed, who navigated the ship?

Coyle.

Coyle. I did, under the command of the carpenter.

Q. The witnesses say, you, and Richardson, and the rest, went away in the long-boat, what became of you?

Coyle. We went to Tunis in Barbary: in case these three witnesses had assisted the captain, the thing could not have been done.

Q. Have you any witnesses?

Coyle. No, none but the boatswain and consul of Tunis.

Q. Pray why did you leave the ship?

Coyle. After they went from Foviniano, they differed in their opinions, and were afraid of one another, so the boys took the boat, unknown to the other men, and went away; when the Boatswain found the boys and the boat was gone, he called the carpenter, who lay in the captain's cabin, and told him the yawl was gone: I was pleased with it, thinking they would now go away, and leave me on board; so the carpenter turned out, and called the Spaniard, Davison, and they consulted together, and hauled up the long boat, and put masts and sails into her, and took what things of mine were on board, and then the carpenter came to me with two or three cutlasses, and hauled me on deck, and said G——d ———n you, get into the boat; I heard what they were about, and was in hopes they would have left me in the ship, so I said, for God's sake don't kill me; and, while I was dressing, one of them gave me two or three blows with the flat side of his cutlass, and told me, if I would not go, he would cut me in pieces; then he ordered me into the boat, and put me to an oar, and one of them steered; we rowed a mile, and got to windward of the island: then they asked me, what place they might go to, where there was no English consul? I told them they must go to
Tunis

Tunis or Tripoly : they said they would not go either to Tunis or Tripoly : so after some few days, we proceeded to a place just off Tunis, and there we stopped to shelter ourselves, for the wind blew hard, and we were loaden : then we proceeded to Byzarta, and landed fifteen leagues to the westward of Tunis, and the carpenter, before we put in, made me swear, that I would be one of his company, and said, I should not stir from him ; he said he would run his knife through me if I spoke any thing of this affair. When he came ashore, he was dressed in the captain's cloaths, and appeared very grand. He told the people, he was born in New-York, and passed an examination before the governor, but that he said there I don't know ; but a paper was brought us, and we all signed it. After a while, we had all orders to come to Tunis, so we came to Tunis, and there I was confined with the carpenter, who was captain for two days ; at last I discovered the thing, and the carpenter made his escape, but was retaken ; the boatswain turned Turk, and the other turned Jew : I was kept in prison there three months.

Q. Where was you taken into custody ?

Coyle. I surrendered myself to the vice-consul of Tunis.

Q. What ship was you put on board there ?

Coyle. I was put on board the capt, Darrel.

Q. Was you at large in that ship ?

Coyle. I had small irons puts upon me, but I had my liberty to walk about the ship. From Tunis I was carried to Gibraltar, and I was in custody there two months ; from Gibraltar I was carried to Lisbon, and came home from thence in the Princess Louisa.

Q. And had you irons on all this while ?

Coyle. Yes, but I was at large.

Q. Have

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Q. Have you any witnesses?

Coyle. What witnesses can I have, since all the ship's crew were concerned? As for the three witnesses against me, I have often beat them myself for abusing the captain. It is hard I should have such frivolous witnesses against me, when I have been master of a ship myself these seventeen years. I have used the sea in the king's and merchants service, this great while, and defy any person to say, that *black is the white of my eye.* Call Joseph Lyon.

Joseph Lyon. The last time I saw the prisoner was five or six years ago. I have known him thirteen or fourteen years. I never knew any harm of him, and took him to be an honest man, nor did I ever hear any one give him a contrary character. This affair I know nothing of.

Richard Manwaring. I have little to say in his behalf: I knew him ten years ago, and have never seen him since; he was hired and freighted by a person I had some concerns with, to carry goods to Maderia, and he performed that voyage and had then a good character; as for any thing since I know nothing of him; he told me himself that he bored holes in the ship, on purpose to have them taken, but how true it is I cannot tell.

Another Witness. I have known the prisoner twenty-seven years, he was born just by me; I never heard any hurt of him; the last time I saw him was about three or four years ago in Church-Alley, in St. Olave's parish.

C. Why he was aboard this *Pink* three years ago.

Witness. It might be four, for ought I know.
Guilty, Death.

The Ordinary's Account.

RICHARD COLYE, aged forty-five years, was born near the city of Exeter, of honest parents, who gave him

him good education at school, in reading, writing, arithmetic and navigation. When of age, he was put to sea, and served his time to the satisfaction of his master. He afterwards went to sea in the king's ships, and sometimes in merchant men; and during the time of these services he had a good character, and was esteemed by the generality of those with whom he dealt, or had acquaintance. Twenty-four year ago he married a wife, by whom he had several children, four of whom are still living with his wife at Exeter, the youngest, whom he never saw, having been born since he went last to sea with Captain Hartley. He had been master of a ship, and had been chiefly employed in the river from London, during the space of seventeen years, and in that time he bore a very good character; but about five years ago, after many misfortunes had befallen him, he was turned out of that business, and then he served in the station of mate in other ships, in which station he was under captain Hartley, bound from Yarmouth to Italy, loaden with herrings. They traded likewise at Leghorn, Messina, Syracuse, Salonica in Greece, and Ancona in Italy; they touched also at several Greek islands, and he spoke as if they had been at Alexandria; the last port they went to was Padras in the Morea, where they took in, as he said, six hundred pounds worth of wheat. In this place it was, that he, with the ship's crew, formed the conspiracy against the captain, and to run away with the ship and turn pirates.

Mr. Coyle appeared to be pretty ingenuous in his confessions, and owned for the most part the evidence as it was sworn against him, viz. that on the twenty-fifth of August, 1735, they departed from Padras in Turkey, loaden with corn, and bound for Leghorn. They went out of that port about ten or eleven o'clock

o'clock in the forenoon, and towards night, having sailed about twenty leagues towards the island of Cephalonia and Zant, they put their horrible design in execution. They awaked the captain out of his sleep, and then he came to understand they intended immediately to murder and throw him over-board. Coyle, or some other of them, (for he was not willing to declare that affair plainly) stood at the cabin-door with a hatchet in his hand, to knock down the captain when he opened the door; but his conscience checking him, or courage failing him, the captain run to the deck in a great surprize, and made his way in all haste to the fore-castle, and got upon the fore-shrouds, crying out, Dear Mr. Coyle, are you against me? He told the captain that it was determined by the company, over board he must go, and he was against him too. They had pursued him along the deck as he went to the fore-castle, and Richardson and Larson, the Dutchman, went up the shrouds after him; Richardson the carpenter, having an axe in his hand, threatened to kill Larson with it, if he agreed with the captain: they threatened, cursed, swore, and d—n'd at the captain to come down, and Coyle d—n'd them to bring him down. The captain seeing nothing but death determined against him, came down quickly on a small rope; before this, and at this time, he frequently begged for God's sake, in consideration of his wife and children, to spare his life; but they were deaf to all entreaties, and seized him in order to throw him over-board. Richardson, Larson, and Davison, were the principal actors, and Coyle also gave a helping hand, though he was not willing to acknowledge it; they were the men, he said, who violently pushed him over; he held by the lanniards, but Coyle hit him on the head sometimes with the chicken-trough, and that

not doing, he swore at the carpenter to strike him with his axe, which he did, and knocked out his brains; the last word he was heard to speak having been, Lord have mercy on me, I am a dead man, and then he sunk into the sea, and was never seen more.

After this they divided the captain's goods and cloaths among them, and having no good agreement among themselves, but their guilt flying in their faces, they cursed and d—n'd one another, especially the carpenter, who had the chief hand in this murder, and was a notorious, wicked, bold, imperious fellow; however, they drew articles, and all of them signed the articles, not excepting the captain's boys, who were the three witnesses, as they pretended, was forced to do so for fear of their lives. By this agreement Coyle was captain, Richardson, the carpenter, mate, Larson, boatswain, and Davison, cook as before.

Matters being thus settled, they bore up for the island of Malta, but were afraid to go ashore, suspecting one another, and fearing some of themselves would not fail to make a discovery, so they went to a little island off Sicily, called Foviniano; Coyle went ashore as captain, and dressed in captain Hartley's fine cloaths, but, having no money, nothing could be got in this island but water, and next night the three boys, Philip Wallis, William Durrant, and William Metcalfe, who were all the witnesses against Coyle, found means to get on shore in the yawl, and told the governor and garrison about the murder of their master, captain Hartley: when Coyle, and the rest of them knew of their going off, they immediately launched the long-boat, and pursued them so far, that they were in danger of being apprehended by the soldiers of Foviniano, an island

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island belonging to the king of Sicily, and if the governor, had given orders to board them that night, they must have been taken, but delaying to the next morning, all of them made their escape in the long-boat, and went directly to Tunis, where Coyle, as he said, surrendered himself to the English consul, or he was taken up by him, and he then discovered the whole matter to the consul, who took them up and put them in irons. From thence he was sent to Gibraltar in a merchant-ship, where he was kept two months in prison, and thence they put him on board the *Louisa* man of war, which brought him home to London to receive the due reward of his deeds.

He confessed that he was concerned in the conspiracy of carrying away the ship, but at first denied the murder, pretending that he knew nothing of it, or that he ever struck him, or lifted his hand up to the captain; this he spoke but faintly; but afterwards his conscience checking him that he had not declared the truth, without being asked, he owned that he was concerned, and had a hand in the murder of captain Hartley, for which he expressed a great regret and the height of sorrow.

He was executed at execution-dock, March 14, 1736.

EDWARD JOHNSON, NICHOLAS WILLIAMS, LAWRENCE SENETT, NICHOLAS WOLF, PIERCE BUTLER, and JOHN BRYAN, otherwise O'BRYAN, for the Murder of Captain Benjamin Hawes, September 7, 1736, tried at a Court of Admiralty, held at Justice hall in the Old-bailey, Feb. 24, 1737.

EDWARD JOHNSON, Nicholas Williams, Lawrence Senett, Nicholas Wolf; Fierce Butler, and John Bryan, otherwise O'Bryan, mariners, stands indicted, for the murder of captain Hawes.

Counsel.

Counsel. Walker, Do you know the vessel called the Dove brigantine?

Walker. Yes, I belonged to her nine years; Benjamin Hawes was master.

Counsel. When did you go from England in her last?

Walker. About six years ago; we went from Harwich and Falmouth: I was the captain's apprentice, and was to go with him all his voyage for a certain term of years.

Counsel. Where was you in June last?

Walker. At Leghorn.

Counsel. Who had you on board at that time?

Walker. Williams was mate, and Johnson was a mariner, Senett was a mariner likewise, and one Derrick, a Dutchman was a mariner too.

Counsel. Had you no one else on board?

Walker. Yes, we had one O'Mara, a passenger, on board, and none else, but the captain and myself.

Counsel. When was you to sail from Leghorn?

Walker. We were to sail from thence the seventh of September.

Counsel. Were the rest of the prisoners at the bar on board?

Walker. I did not see them then. The master gave directions on the 7th of September, that as soon as the wind came off the land, they should heave the anchor; and then he went down into his own cabin, and went to sleep, and I went and lay down on the quarter deck, over his head, and went to sleep likewise.

Counsel. What followed upon that?

Walker. I heard a shrieking and groaning, which wak'd me.

Counsel. What time o'night was this?

Walker. I believe it was about half an hour past ten when I heard it.

Counsel.

Counsel. What sort of noise was it?

Walker. Like the groans of a dying man. I could not tell what it was; so I got up, and was coming round the companion, and I met Johnson with a knife in his hand, and his right hand was all bloody. I asked him why he was bloody, and went down directly to see what was the matter. I called Williams three times by name, and he asked me, what was the matter? I asked him if he was hurt? He said, No. I desired he would let me look at him; he said, may be the captain is dreaming.

Counsel. Were they heaving the anchor at this time?

Walker. Yes; Senett had put a handspike into the windlafs on the side, and the Dutchman had another in the other side, and Johnson was casting off the stopper, in order to heave up the cable. Senett said to Williams, shall we heave up the anchor? Aye, says he, with all my heart, boys.—Turn to, lads; heave it up with all my heart.

Counsel. What did you say to them?

Walker. I said, what signifies heaving the anchor, when the vessel won't work: Williams said, the captain had ordered it; and I said, then I will go down for my shoes: I had locked the cabin door, (single locked it) when the captain went to sleep, and I left the key in the door; when I set the door open, I was affrighted at what I saw.

Counsel. What did you see?

Walker. I saw the captain half on the bed and half off, all bloody, and he appeared to me to be dead.

Counsel. What did you do upon this?

Walker. I went upon deck, and met Williams, and I said, Mr. Williams, the captain is dead; who has killed him?

Counsel,

Counsel. What answer did he make?

Walker. Lord have mercy upon me, says he, I cannot tell. I desired him to take Johnson, and lash him to the ring bolts, and carry him ashore in the morning, for says I, I saw him coming up the companion ladder all bloody.

Counsel. What answer did Williams make?

Walker. None at all, but only went forward to Johnson, and I followed him: then Johnson took hold of me, and said, G—d d—n you I will kill you too.

Counsel. Repeat that again.

Walker. Johnson, when he took hold of me, said, G—d d—n you, you dog, I will kill you too, and he struggled with me, and tried to take out his knife; but I gave him a blow on the arm, and he let me go; then I jumped over board, and as I was going off, Johnson cried, D—n the dog, kill him, kill him, don't let him go; and one of them struck a knife after me into the water, and it struck upon my buttock.

Counsel. Was Williams upon deck at the same time?

Walker. Yes, but I did not see him do any thing; the knife that was thrown after me cut my trowsers, but not my flesh.

Counsel. What followed upon your jumping into the sea?

Walker. They got into the boat, and rowed after me; Johnson was one who rowed after me; but I did not mind who the others were, I swam, and they followed me; I got to an Italian Settee, and I begged of them for God's sake, to make them keep off, for they had killed my master, and wanted to kill me. They asked me who the boat belonged to? I told them; then they haled the boat, and Johnson cried Hallo! then the people in the Settee fired upon them, and they then gave over the pursuit, and returned to the ship.

Counsel.

Counsel. Did you see the ship make any sail after this?

Walker. Yes, I saw the ship go.

Counsel. Which way did she go?

Walker. From the land.

Counsel. So the Italians took you on board?

Walker. Yes, they threw out a rope and pulled me up, and examined me: I would have had them put off, but they were afraid of being killed themselves; so they guarded me into the mole, put me on board a ship, and presently there came boats manned and armed from other ships, which went after them and took them: I came home with them, but never had any conversation with them.

Counsel. You say, you acquainted Williams with your seeing of Johnson coming up the companion ladder?

Walker. Yes.

Counsel. Did he make any answer to you?

Walker. No, not at all; but went directly up to Johnson.

Counsel. Did he offer to seize Johnson?

Walker. No.

Counsel. Was there any body could have helped him to have seized Johnson?

Walker. Yes, Senett, and the rest of the prisoners; but they none of them offered to seize him. Johnson seized me with one hand, and with the other hand he felt in his pocket for his knife, and cried, Aye, G—d d—n you, I'll kill you too; but I struck him a blow on the arm, which made him let go, and I jumped over-board, and he cried, Kill the dog, don't let him jump over-board; but I swam away from them about eight hundred yards.

Counsel. What place was the ship bound for, when the captain was killed?

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Walker.

Walker. For Messina.

Counsel. What course did the ship make after they were discovered ?

Walker. They steered right off the land.

Counsel. Was that towards Messina ?

Walker. No.

Counsel. What ship took you in ?

Walker. I swam first to an Italian Settee, and was afterwards taken on board the Lavant, Capt. Floyd.

Counsel. What did you observe the other prisoners do ?

Walker. I was so much frightened, that I did not mind what they were doing.

Counsel. Did you see Wolf there ?

Walker. No, I cannot say whether he was in the ship, at the same time or not.

Counsel. What was Senett doing ?

Walker. I did not see him after the captain was killed : he was weighing anchor before I found him killed.

Counsel. When they were weighing, anchor was there a proper wind to go on the voyage ?

Walker. No, there was not.

Counsel. After you came on shore, and made the discovery, did you go on board again ?

Walker. Yes, when the ship was brought to I did ; when they were made prisoners.

Counsel. Did you see the body of the captain after his death ?

Walker. Yes, there was a wound three inches and three quarters long, a-thwart his breast : there was two wounds, but I put my hand into the largest, and the surgeon measured it : it was a long wound, and it went quite through his back, and was an inch and an half wide there ; the great wound went from his breast quite through his body, and through his back ; but

but there was another smaller wound here, in this place, (pointing to his own ribs.)

Counsel. You said, you saw Senett, Williams, and Johnson; was that after you heard the groaning of the captain?

Walker. Yes,

Counsel. How long was it after the fact was committed that the ship was brought in?

Walker. It was brought in about three hours after, by several English boats which were in the harbour, and then the prisoners were taken out of her, and two of them were put on board one ship, and two on board another; they were distributed on board other ships. Wolf was brought home with me in the Dolphin man of war.

Counsel. What shaped knife was it that Johnson had in his hand?

Walker. A French clasp knife, about eleven inches long, handle and all, with a sharp point; the blade towards the bottom was about three-fourths of an inch broad, and about a quarter of an inch at the point: the handle was longer than the blade.

Counsel. Do you think the wound could be made with that knife?

Walker. Yes it might.

Counsel. You say you saw his hands bloody?

Walker. Yes,

Counsel. Was the knife bloody?

Walker. I did not observe that; when I saw him, he was shutting it, with both his hands, and I saw his right hand bloody. The knife was found next morning in the boat they rowed after me, and in the hollow of the handle was all greasy and bloody, and there were hairs sticking in it.

Counsel. What sized man was the captain?

Walker. A stout, lusty, fat man.

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Counsel.

Counsel. Do you believe the knife you saw in the boat, was the same you saw in Johnson's hands?

Walker. Yes, I am sure it was the same.

Jury. We ask, whether he knows how the knife came into the boat, because he has mentioned a knife being thrown after him into the sea.

Walker. It was not the knife that I saw in his hand, that was thrown after me, but another. Johnson's clasp knife was found in the boat, three or four hours after it was brought in with the ship. I did not see it in the boat when it first came in.

Counsel. So you say this knife was found in the same boat that Johnson was rowing in after you?

Walker. Yes, Sir.

Counsel. What shape was the handle of the knife?

Walker. At the bottom of the handle it was roundish; at that part next the blade it was flat.

Counsel. Do you think, that, if a wound was made with the blade, any part of the handle would go into the wound?

Walker. Yes, Sir.

Court. Recollect yourselves; would any of you ask the witness any questions?

Johnson. I have no questions to ask him; he knows nothing of me, nor I of him.

Williams. I would ask him, whether, as the wind was south-west, we did not sail the direct way to Ancona?

Walker. No; it was fine, clear, moon-light night, and all the while I was going in a boat from the Settee to the ship, I had sight of her, and she was steering quite off from the land.

Counsel. How long was it before you got from your own ship to the Settee?

Walker. About half a quarter of an hour.

Counsel.

Counsel. How long was it after you got into the Settee, that you got into an English vessel?

Walker. About half an hour.

Senett. I observed the witness said, I had a hand-spike in the windlass. The Dutchman came to me as I was lying on the fore-castle, and he awaked me: I got up and said to Williams, are you going to heave up? No, says Williams, there is no wind. Why says I, the Dutchman has awaked me to heave up; then, says Williams, you may go to sleep again. Ask him about my behaviour in the ship.

Walker. He obeyed command in the ship, as other mariners ought to do. He had been about six weeks on board, when this happened; and was taken in at Leghorn.

Counsel. Call William O'Mara.

Counsel. Do you know the Dove brigantine

O'Mara. Yes, I did, Sir.

Counsel. What time did you come on board

O'Mara. Some time in August, 1736, I don't remember the particular day.

Counsel. Who was on board when you came first?

O'Mara. There was Williams, he was the chief man; he at the bar there. There was Andrew Downing, Laurence Senett; I don't know that Johnson was there: he belonged to the ship at that time, but was not concerned in any business, in the wicked enterprize they went upon, nor Wolf Bryan was Butler was not there at that time.

Counsel. Give an account what passed the seventh of September, after that August you speak of, with relation to the captain's coming on board, and ordering the ship to be put under sail; tell what passed that night.

O'Mara. I was asleep in the mate's cabin, and Wolf with me. About eleven or twelve, I heard a great

great groan in the captain's cabin; I said, Oh! deaf Wolf, what is the matter? G—d d—n thee, says he, can't not sleep; and, in about three minutes time, Walker went down. I heard the gushes of blood run from the orifices, as if a bung-hole had been made from his body.

Counsel. How near did you lie to the captain?

O'Mara. I lay in the larboard-side of the ship, and the captain's cabin was just at my head, and nothing between us, but a slight partition. He lay more in the center of the ship than I did.

Counsel. When you heard the groans, and the gushing out of the blood, what did you do?

O'Mara. Nothing in the world; but then, in about three minutes after, Walker came down and went in, in his shirt; when he saw the captain dead, he run to Williams, and said, Oh! Mr. Williams, the captain's dead; then I heard Johnson say, kill the dog, kill the dog; meaning Walker, and they had a jostle together about half a minute; well, says I, now the boy is killed, and there is no remedy. In a short time after this I heard somebody say, See how naturally the dog takes the water.

Counsel. Do you know any thing of Senett, or Johnson, or any of the prisoners endeavouring to weigh anchor at that time?

O'Mara. I did not hear any thing of that to my knowledge. As soon as the noise begun, they did not stay to get up the anchor, for they cut the cable.

Counsel. Which of them cut the cable?

O'Mara. Williams did; I was by at the same time, and saw him cut it with a hatchet.

Counsel. What was the reason, that Williams cut the cable?

O'Mara. Oh! the captain was killed, and he was going captain.

Counsel.

Counsel. How do you know that?

O'Mara. I have very good reason to know it. I myself drew the articles, by which he was constituted, nominated, and appointed so. There were articles drawn twice; but Downing had nothing to do with them.

Counsel. Do you know of any combination among the prisoners?

O'Mara. I do. I know it all; I was a party concerned myself.

Counsel. Begin, and give an account when you first came on board, and what passed between you; what was the occasion of your first coming on board? Who tempted you on board?

O'Mara. John O'Bryan, one of the prisoners; he brought me on board, and told me, that I must go no more to my own ship, for some body had told Sir Mark Forrester, who was the captain, it was a Spanish man of war, that I had given it out, that he was knighted by a bricklayer's son, meaning the pretender, and O'Bryan told me, that he would hang me up when I went on board: this drove me to despair, and made me willing to go any where. He told me he had got a birth, and was going mate of a Dutch ship, the Dove brigantine; he called it a Dutch ship, and said, if I pleased I might take a birth along with him; so I went on board the Dove with him, and I met Mr. Williams in the first place, and Downing and Laurence Senett.

Counsel. What discourse had you together?

O'Mara. They brought out a prayer-book, and swore me to secrecy, and I swore: When they had done taking the oath, they said, this ship was richly laden, and belonged to Jews, and that it was no sin to carry it away from them. They said the ship, it was given out, belonged to a Dutchman, but that
was

was only a sham and a pretence, to get me into their contrivances. They proposed to go away with the ship, and sell her and her cargo on the coast of Portobel, or Gallicia, and every one was to have an equal dividend.

Counsel. Who made the proposition?

O'Mara. All; they all joined, Williams, Sennett, O'Bryan, and Downing. I agreed with them in it, and we went ashore directly, and called Butler, and we drew up the articles at a public-house, the sign of the Ship and Mermaid at Leghorn.

Counsel. Who drew up the articles?

O'Mara. I did, and we all signed them. Williams signed first.

Counsel. What was the substance of the articles?

O'Mara. The substance was, that Williams should be captain; O'Bryan, mate; Senett was to be boat-swain, and Downing to be second mate; there was something to be for every one; every one was to have a post, and so they gave me the name of doctor.

Counsel. What followed upon this?

O'Mara. When we had signed the articles, Williams and Senett went on board again; Downing, Butler, Bryan, and I, staid on shore.

Counsel. What office was Butler to have? You have not mentioned his post.

O'Mara. I had forgot him: he was not to be supercargo.

Counsel. Well, and what do you all do on shore?

O'Mara. Why that night we drank upon the strength of what Williams gave us.

Counsel. What did he leave you to spend?

O'Mara. A chequin.

Counsel. When did you see them again?

O'Mara. About two days after, Downing, Butler, and I, sent aboard for Williams and Senett to come ashore

ashore to us and we pretended that we had other men who would join with us in the business. This we did to get the paper out of Williams's hands, for he took it when we had signed it.

Counsel. Repeat again the names of the persons that signed, and the order in which they signed.

O'Mara. Williams signed first, as captain; O'Bryan, as mate, second; Pierce Butler, third, as supercargo; Downing, fourth, as second mate; Senett, fifth, as boatswain; and I said, gentlemen, I am satisfied with any thing, so I signed, doctor.

Counsel. What did you do with them when they came on shore?

O'Mara. We got the paper from them and burnt it, and departed, resolving never to see one another more.

Counsel. What made you desire to get the paper again?

O'Mara. Disunion among us.

Counsel. How come you to go to the ship again?

O'Mara. O'Bryan and I took out a bill of health to go to Genoa on the twentieth of August, but we had not the good fortune to meet with a Felucca, so we were obliged to stay in the town.

Counsel. Who burnt the articles?

O'Mara. Williams; he would not give them out of his hand; he pulled out a paper, and said, here they are, and he held it over the candle and burnt it; I believe it was the articles.

Q. Consider, you swore the articles were burnt; now you say, you don't know whether they were or not; you must say nothing upon surmise.

O'Mara. He produced a paper, and said it was the articles; it was very much like them, and he held it over the candle till it was burnt; we did not care to shew names.—Downing was the person

that called out most for the articles. Williams at first told us the articles were on board, but afterwards, when there was some words about them, he drew out a paper, and held it over the candle, and burnt it, and said, there it is in ashes.

Counsel. What happened after the pape was burnt?

O'Mara. Sometime afterwards they begun with us again : Williams spoke to Senett, and then they took Johnson in and me. We drew second articles among us four, and I wrote the articles by Williams's direction. They were of the same purport with the other, only the names of the mates, and supercargo, and boatswain, were changed.

Counsel. Who signed these second articles?

O'Mara. Williams signed first as captain, Senett signed second for mate, I signed next for supercargo, and Johnson for boatswain ; and, to these second articles, there was none conscious, but us four, to my knowledge.

Counsel. What time were these articles signed?

O'Mara. It was before the captain was killed, about a week before, or thereabouts.—I went on board from that time till the captain was killed.

Counsel. Had you any discourse together what was to be done with the ship?

O'Mara. There was nothing fixed where we were to go, some said we will go to Sallee, some said to Angier, some said go here, some there.

Counsel. Were these articles too put into Williams's hands?

O'Mara. Yes, and I saw them afterwards in his hands, he delivered them into my hands the night before the captain was killed, and that very night too. O'Bryan came on board the latter end of the night, before the captain was killed, and Butler with

with him.—I was the first that saw them after they came on board; they had swam to us from the Lazaretto, and I told Williams that O'Bryan and Butler were come, and he proposed the affair to them.—We had then on board Williams, Johnson, Senett, Butler, O'Bryan, and myself; all the ships hands were upon deck; these were all on board the night the captain was killed.

Counsel. Was the design of killing the captain, and running away with the ship, mentioned to all these?

O'Mara. Yes, and they declined doing it that night, because it was past three o'clock; and they were afraid they should be taken, before they could get off.

Counsel. Did any of them oppose the doing of it?

O'Mara. No, not one; they only declined doing it that night, because it was so near morning they were afraid of being taken.

Counsel. Did Johnson sign the articles?

O'Mara. Yes, he signed the articles, but not the first; Johnson was to be boatswain.

Counsel. What were the conditions of these articles, with regard to the captain?

O'Mara. Some were for putting him to death; but, in the written articles, that was left to Williams, and he said he would put him on shore at Gallieto.—By the articles Williams was to do as he pleased with him.—We had great disputes about the captain; some were for putting him on shore at Gallieto, (a desolate island on the coast of Africa) with some provisions, and among these Williams was one.

Jury. Was he to be put on shore dead or alive?

O'Mara. Alive, alive, we were to give him provisions, I told you.

Q. How far distant is Gallieto from any other island?

O'Mara. Thirty or forty leagues.

Q. How long after the captain's coming on board was it that he was killed?

O'Mara. He was killed the first night he lay on board: he had been absent from the ship a day or two.

Counsel. Had you any consultations while the captain was on board?

O'Mara. No, not a word, nor a word of the articles, while he was aboard.

Counsel. After Butler and O'Bryan came on board had you any consultation?

O'Mara. After they came on board, Williams said, he had a mind to slip, and one of them said, it would be hard to do that, for fear the crew should be in liquor, and the wind should blow hard.

Counsel. Was Wolf present at any of the second meetings?

O'Mara. Yes, very often.

Counsel. Had they any discourse what to do with the powder and guns?

O'Mara. Yes, the morning after Bryan and Butler came on board, they all went forward to the captain's cabin, and the steerage, and I went down after them, and they eat some dried fish, and drank some of that country wine; and, after they had done eating, they took down six fuzes, which hung in the cabin, and Williams charged them with a single ball in each of them.—Wolf asked him, how many balls he had put in? He said, but one: Wolf said, G——'s Bl——d, a single ball may fly here and there, and do no execution; so he put another ball into every one of them, and said, they should do sure work; then I apprehended murder would be

be done.—I used to hear them very often threatening Dick Walker—that they should be even with him: they have said an hundred times, D——n their bloods, the first opportunity they had, they would get him out of the way, a vile dog as he was, for opposing them.

Counsel. Who said so?

O'Mara. Williams has said so sometimes, but rather seldomer than the others; Senett and Johnson have often said, D——n the dog, he should have a shite, meaning a shoot.

Counsel. Was it proposed that Bryan and Butler should sign the articles?

O'Mara. Yes, they desired to see them, and Williams gave them into my hands to read them. I did so; and Bryan and Butler begun to swear and damn, because, in these second articles, others were substituted in their places. But Williams said he would make them all easy, when he was got out to sea. Senett told him, that Johnson and himself had most trouble in lading the ship, and, says he, shall others run away with the substance? Then, says Williams, do you take one of the men, and I will take the other, and we will put them out of your way: and they drew their long knives, but Johnson said, if any dog offered to come near him, he would rip him up; Bryan, seeing this, said, he would swim on shore again.

Counsel. How soon after this did the captain come on board?

O'Mara. I was asleep when he came, but I believe it was about nine or ten at night. I went asleep about duskish, and slept till the groan wak'd me, that was between eleven and twelve.

Counsel. Do you know who went in the boat to pursue the boy?

O'Mara.

O'Mara. I was below when the boat went out, but I saw it return; Johnson and Butler came back in it. I heard Senett and Johnson say, G—d's b ood, he dog can't swim far, he has got the knife in his body, however take the boat and row after him. When Johnson and Butler returned to the ship, Johnson said, Oh! you treacherous dogs, G—d d—n you, could not you keep that boy a-board, when I had done the work of the great man and killed him myself. And he drew out his knife and swore he would kill himself, because his hands had missed the boy; but I got hold him, and said, For God's sake don't send yourself to heaven (to hell I meant) as yet. The knife was bloody at that time, I knew it, and I know he stole it from a Frenchman; the blade was six or seven inches long.

Counsel. Did he say he had killed the captain in the hearing of the prisoners?

O'Mara. Yes, ——— of every one of them, and they did not blame him at all, only Bryan and Butler blamed him for killing him before they had got out to sea. Williams said, that was the misfortune.

Counsel. Who cut the cable, and what part of it was cut?

O'Mara. Williams cut it at the windlace; there was about three turns upon the windlace.

Williams. Dick Walker came and begged of me to take that witness on board as a passenger.

Walker. I deny it; Williams asked me to let him come on board, -and I said I would ask the captain's leave, and I did so, and the captain said he might come, but he should pay for his passage.

John Legard. I was the chief mate of the Levant: I saw walker begging in the water to be taken on board; and heard him pray for his assistance, his master being killed: he was taken in, and presently
five

five boats were manned out and armed ; I was one that boarded the brig ; Bryan jumped over-board, but another boat took him up again ; Williams, Wolf, and an Indian (born at the Cape of Good Hope) were upon deck ; Senett, Johnson, Butler, and the witness O'Mara were hid in the forescuttle, under some raw buffalo hides ; D——n you, says I to Williams, what have you done with the captain ? After some time being silent, he said, he's a dead man, and not a man for this world. I went down into the cabbin, and saw him lie on the floor with his hand on the wound, and the corpse was covered with a sheet, his scrutore broke open, and his papers lying about. Williams said to Johnson, Johnson, don't deny it ; you are the man than killed the captain, and I cut the cable ? and the Dutchman said Awe, thot's the mon thot slaaw'd the captain ; and he said nothing at all in his own excuse. Williams told us the captain had always been very good, and he believed the devil was in him, and he expected nothing but to die, so I sent him a bible, and bid him make good use of it. When we pulled the rest of them out from under the hides, O'Mara was very obstropolous, and told us he was the king of Spain's subject ; but we broke a cutlass about his shoulders, and made him quiet.

Mr. Rogers. I was one who boarded this brig ; we found Wolf, Williams, and the Dutch Indian, on deck ; so I thought there must be more men concealed, so I asked Williams for a tinder box and candle ; he told me he knew of none ; we told him he deserved to have his nose cut off,——he a mate, and not know where to find a tinder-box : at last we found one, and got a light to search for the men that were hid ; we saw their legs under the hides, but they would not come out ; but upon our threatening to fire among them,

them, O'Mara, Johnson, Butler, and Sennet, came out, and we secured them. Williams said, the captain was very good to him, that he never eat or drank without him, and he believed the devil possessed him. He told Johnson, it signified nothing to deny it. After this Senett confessed the whole affair, and at his own request, I took an account thereof in writing. He told me that Williams swore him first to secrecy, and when he had sworn, he (Williams) told him, the vessel was richly laden, and if he could procure others to acquiesce with him, it might be run away with. Upon this he brought Downing to Williams, and after this he has sworn to secrecy. Williams told him (Downing) that the captain was to be killed, that no stories might be told. Williams said, that for his part he was rather for setting the captain ashore on a desolate island: but Johnson insisted on his being killed, and said, that it would not be the first (by many) that he had put out of the way. That Downing was the man who first proposed killing the captain.

The prisoners had nothing material to say in their defence, nor any witnesses to call, either to the fact, or to their characters.

Edward Johnson, guilty; Nicholas Williams, guilty.

Senett, Wolf, Butler, and Bryan, acquitted.

Edward Johnson, Nicholas Williams, and Lawrence Senett, were indicted a second time, for feloniously and piratically endeavouring to make, and causing to be made, a revolt in the said ship, and running away with the same, as aforesaid.

The evidence upon this indictment was the same as upon the former trial, and the jury found them all guilty. *Death.*

The

The Ordinary's Account.

NICHOLAS WILLIAMS, thirty-one years of age, of honest parents in the Isle of Man, who gave him good education at school in reading, writing, accompts, and other things to fit him for business, and had him instructed carefully in christian principles; when of age he was put to the sea, and served out his time honestly and faithfully: he lived a considerable time in Dublin, having gone several voyages from that port. Since he was eighteen years old he always served as mate of ships, was honest in his dealings, and had a good character among merchants and captains who employed him.

Some time ago he married a wife, by whom he has one child now living: she came often to visit him in his most miserable circumstances, weeping most bitterly, and shedding plenty of tears. The last voyage he went to Gibraltar, and after that happening to be at Marseilles, when captain Hawes had discharged his men, he engaged with him as mate for Leghorn, whither when they came, they unloaded and loaded again a very rich cargo, designing to come home. This rich ship had gone from Harwich for Leghorn, for herrings, in the year 1730, intending now to return to England, having been at several ports in the course of a trading voyage. On the 7th of September last, the captain, having been on shore for two days, to set all things in order for his voyage homeward, he came on board about eight or nine o'clock at night, and enquiring into the state of the ship, he gave orders to Williams to heave the anchor and set sail when the wind blew off the land. They had before left the Mole, and were lying at

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anchor in the road of Peghorn, about half a league from the town, and were ready to sail.

The captain having given this order to the mate, told him, He was going to sleep, and bid him take care. Accordingly he went to bed, and, wearied with business on shore, fell into a sound sleep, and about half an hour past ten at night, Edward Johnson went down to the cabin, and, with a French, strong, large clasp knife, stabbed the captain in the breast, and quite through to the back, where also a hole was made, and he wounded him likewise in other parts of the body, the orifice of the great wound being so large, that it looked as if his body had been ripped open. The first who took notice of this, was Richard Walker, the cabin-boy and apprentice to the captain, who heard a grievous groan and outcry, like that of a dying person. Astonished at this, he called out to Mr. Williams, that he had heard a lamentable groan, and asked him if he was well, and felt about his breast with his hand: Williams said, perhaps the captain was dreaming; then the boy saw them working the windlasses to weigh the anchor; he thought it strange that they were to sail when it was calm and no wind; yet he went to the cabin for his shoes in order to assist; there he found his master the captain, lying half out of bed in the miserable manner before mentioned.

He immediately went up stairs, and saw Johnson going up with his hands all bloody, and closing the clasp knife with both his hands. He told Mr. Williams, the mate, that the captain was murdered, and desired him to secure Johnson the murderer. Williams made no answer, but spoke to Johnson; upon which Johnson swore at the boy, and called him dog, threatened to kill him, and, holding him by one of his hands, he, with his other hand, was taking out the

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the bloody murdering knife but the young man, giving him a blow upon the arm, got loose from him, and running about Mr. Williams, he jumped into the sea, and swam for his life : Johnson cried out to kill the dog, and threw a knife after him, which cut his trowsers, but did not touch his flesh ; then Johnson, with two or three others, pursued him in the ship's boat, but Walker swam so fast, that, before they could overtake him, he came up with an Italian settee, and begged hard of them to take him in, for the murderers of his master were pursuing to kill him also.

They took him in, and, telling them the story, they conveyed him to an English ship, and the English ships in the harbour immediately manned and armed several boats. The first who boarded the ship was captain Rogers, with a mate of another ship, who found Williams, and two or three of the men, on deck ; Williams stood confounded, and had little to say ; upon this, in an instant, came up a great many more boats with armed men, and finding a light, which Williams could not tell them of, they saw the captain, with a sheet thrown over him, and barbarously murdered as above. Then they laid hold upon Williams, and the two or three men on deck, and searching for the rest of the crew, who, with Johnson the murderer, were hid under some skins in the fore skuttle ; they put the whole ship's crew in irons, and carried them on board of the English ships in the harbour, and put them two and two on different ships to be kept secure.

Next morning they brought the late captain Hawes's ship into the Mole, to secure her for the owners. The prisoners were brought home in a man of war, by the way of Gibraltar and Lisbon, to London. Mr. Williams said, that evening he was very

drousy, and was sleeping on the quarter deck upon the main sail, when this murder was committed, which was all the excuse he had, that his hands were not imbrued in the captain's blood; but otherwise he confessed, that he was the chief man in contriving the whole plot, to run away with the ship, and turn pirates; but he was not for murdering the captain, inclining rather to set him on shore on some desolate island.

And he alledged also, that he knew nothing of the design of murdering the captain that night: he likewise owned their having drawn up articles twice, and that they signed them. He was mightily inclined to drinking, and kept himself, and the rest of the conspirators, for some days, while all this was a hatching, perpetually warm with drink, having consumed a considerable quantity of strong Florence wine, which was upon the captain's, or some merchant's account.

He gave the captain the character of a very kind, civil gentleman, particularly to himself, and that he never eat or drank without him. He said also, that having four swivel guns, which could shoot every way, and plenty of fire arms, ammunition, and lead, he could have killed fifty or an hundred men before they could have boarded him; but he said he was glad that no more innocent blood was shed.

EDWARD JOHNSON, twenty-seven years of age, born in Rotherhith, of honest parents, his father an Englishman, and his mother an Irishwoman; having business in Ireland, they went to Dublin, when Edward was very young, and gave him good education at school in reading, writing, and arithmetic, for business, and instructed him in the christian religion; when of age they put him to sea, and he served his time honestly. He went many voyages
from

from Dublin, London, and other places, and was sometimes in king's ships, and having been over most part of the world, and still in station of a private sailor, and during all that time he was honest and retained a good character.

He had been in the Spanish service, and had made many voyages for some time in the Mediterranean, when at Leghorn, he accidentally met with Captain Hawes, who at that time wanted hands, and engaged Johnson among other persons, to carry the ship home for England. He was one of them who loaded the ship with a very considerable cargo; upon which it seems, being of a wicked and cruel disposition, he fixed too covetous an eye.

He confessed his having committed that villainous and barbarous murder in the manner as above-mentioned, with his own clasp-knife, which one of the witnesses swore he had stolen from a Frenchman a few days before.—After this he was in the greatest confusion, disorder, and despair imaginable, and would, to prevent a discovery, have killed the boy Walker, if Providence had not favoured him in swimming with great difficulty to the Italian settee, upon which all the rogues were discovered and taken. He told also that Mr. Williams was the chief man in laying and contriving the whole plot, which was communicated to him, and to which he consented, as soon as he entered the ship, taking upon himself villainously to kill the captain, which resolution he executed that evening, being the seventh of September last, upon the instigation of the other conspirators, three or four of whom with Senett following him down to the cabin, when he committed that direful and tragical fact, and if we may believe him, some of the evidences were also there. The captain never spoke a word more, but fetched a deep sigh

figh, and groan or two, and expired immediately, the blood rushing out, as O'Mara one of the witnesses declared, as liquor out of a bung-hole of a barrel.

I asked him what they intended to do? He answered, they were to go for Sancta Cruz in South Barbary, and there to sell off to the Moorish merchants the cargo, which was very rich, being as he alledged, five thousand pounds value, and then to go a privateering.

At the time the murder was committed, he said he did not believe that Mr. Williams knew of its being intended to be done that night, and that he, Williams, himself was not for killing him, but for setting him on shore on a desolate island off the coast of Africa, called Gallieto, with some provisions, and some of the rest were of the same opinion. Ever since the bloody and most cruel murder, he never had the least peace of mind, but had always the idea of the deceased gentleman in his head.

He died in the faith of Christ, penitent for all the offences of his life, and in peace with all men.

LAURENCE SENETT, near twenty-four years of age, born in the county of Wexford, in the kingdom of Ireland, of honest parents, who educated him at school to read, write, and cast accompts, in order to fit him for business, and had him instructed in the christian religion, according to the popish way. When of age he was bred to the sea, and served his time honestly in Dublin.

When his apprenticeship was expired, he went to sea in divers ships from Ireland, and sometimes from England, and had sailed to many parts of the world; was honest in his dealings, and of a good character with every body he had to do with.

He met with Captain Hawes at Leghorn, and was hired as one of the men to load the ship, and carry

carry her home for England, and was one of the first men to whom Mr. Williams communicated the design of a revolt and carrying away the ship.

They were executed at Execution-dock, on Monday, March 14, 1737.

After they had hung a proper time, their bodies were put into irons, and carried down the river, in order to be hung in chains at the following places, viz. Williams at Half-way-tree, Johnson and Senett at a place called Trip-top-trees.

THOMAS CAR and ELIZABETH ADAMS, for a Robbery, September 10, 1737.

THOMAS CAR, gentleman, and Elizabeth Adams, spinster, were indicted for assaulting William Quarrington, in the house of Mary Prevost, and taking from him a gold ring, set with five diamonds, value six pounds, ninety-three guineas, and eight shillings in silver, September 10.

William Quarrington. On the ninth of September I went to the Bank, and received a hundred pounds, and after calling at several places, I went to Mr. Daxon, who lives in Fore-street, by Cripplegate; with him I went to the Three mariners, in the same street, and staid there till about five or six in the evening. Then I went into Southwark, to speak to a friend; he was not at home, so I waited till about nine for his coming in. Then I came over the bridge, in order to go home, and as I passed up Fleet-street, by Temple-bar, I met a common woman in the street, not the woman at the bar, and she asked me to give her a glass of wine. I consented, and we went to the Angel and Crown, the corner of Shire-lane, close by Temple-bar. The drawer

drawer shewed us into a room, up one pair of stairs, and a bottle of red port being brought us, he departed. We sat together about half an hour, and then the drawer came into the room, and told me, he had peeped through the key-hole, and that the woman was picking my pocket. I found there had been a pique or a quarrel between the woman and him; but upon his telling me he knew her to be a pick-pocket, I was a little uneasy. He insisted upon it, that he had seen her pick my pocket, though I was very sure she had not. Then he desired to know, if I had any money about me, and wished I would tell it over, to see if I had lost any. At his request, I was so foolish and ignorant, as to tell ninety-three guineas, and about twenty shillings over, before the drawer and the woman, and I told them I had lost nothing. Notwithstanding this, words arose between the drawer and the woman, and he turned her down stairs. She was no sooner gone, but the drawer returned into the room, with Mrs. Prevost, and the prisoner, Elizabeth Adams; and Mrs. Adams desired me to stay in the house, till the woman was quite gone; and told me, it was a happy thing that I had lost none of my money; for the woman that came with me was a common street-walker, and a strumpet of the town. Three minutes after this, I went down stairs, intending to go home; but as I was going away, the prisoner, Car, stood at the kitchen-door, and beckoned to me. I went to him, and he told me, Sir, you was with a common strumpet and pick-pocket; and he desired to know, whether I had lost any money; telling me, if I had, the gentlewoman of the house would come into scandal, and would be blamed. He appearing like a gentleman, with a silver-laced waistcoat, I thought he would use me like a gentleman; so at
his

his request, I went into the kitchen. There were he, Mr. Car, the prisoner, Adams, Mrs. Prevost, the two drawers, and another man and woman, all in the kitchen; three women and four men in all, besides myself. They desired me to do it, and I did tell out the money which I had told over before, and informed them, I had lost nothing. Mr. Car said, he was very glad I had not, and called for a bottle of wine to treat me.

2. Did you know him before?

Quarrington. No, I never saw him before in my life, but it was at his request, that I told over my money in the kitchen, and he insisted upon treating me, telling me, it should not be at my expence. I (thinking myself very safe) sat down, and drank part of his bottle of wine, and, when that bottle was out, I called for another, in answer to Mr. Car's bottle. When this bottle was drank out, we had another, and he and I were to club our shilling a-piece for it. 'Twas at Mr. Car's request that I staid all this while; for he told me, it would be dangerous for me to go out, before the woman was quite gone—the might, he said, set somebody upon me, to rob me, or knock me down, or carry me away to another house; therefore he desired me to stay: though the woman was out of the house, yet (he said) she might stand about the door, to watch for my coming out. It was between one and two o'clock when the third bottle was out: then he told me, he thought it too late for me to go home, and that I might stay there all night, assuring me, I should be very safe. On his persuading me, and telling me how dangerous it would be for me, with a charge of money about me, to go out at that time of night, I agreed to stay, and Mr. Car told me, he would himself see me up stairs, and safe in bed; the rest of the

company said, they would all see me safe in bed, so all those, who were in the kitchen, went up stairs with me. There were the two drawers, Mr. Car, Mrs. Prevost, Mrs. Adams the prisoner, another man and woman,—they all went up with me. I paid my reckoning before I went up, and had the rest of the money in my pocket. But I had not been two minutes in the room, before Mr. Car seized me by the throat with his left hand, and having a case-knife in his right hand, he swore he would cut my throat if I made a noise. Seven people were present, and they threw me down on the floor; some of them held my legs, and some my arms. Mr. Car with the assistance of the two drawers, threw me down, and when I lay on the floor; he swore several oaths, that if I made the least resistance or noise, he would cut my throat from ear to ear. Then he took my money out of my pocket, and my ring off my finger; the money he put into my hat, which lay on the floor; he took from me ninety-three guineas, and about eight or ten shillings in silver. Then they gave me liberty to sit down on a chair, and I saw Car distribute my money to the people in the room.

Q. Was Mrs. Prevost and Mrs. Adams (the prisoner) present?

Quarrington. Yes: I was resolved to cry out when they threw me down, but Mrs. Adams (the prisoner) stopped my mouth with an handkerchief. Mrs. Prevost held one of my legs, while Car took the money out of my pocket. After this, they said, I seemed to be much surprized; so Mr. Car ordered the drawer to go down for a couple of bottles of wine. When the wine came up, they filled a glass, which I believe was a full pint glass, and with bitter oaths and imprecations, they forced me to drink it off.

off. Then they filled another, and made me drink that. And a third was filled, which I drank half off, and then could not get down any more. Two glasses and a half they forced me to drink—(the two first of which were filled up to the brim) then I told them, if they killed me, I could not drink any more; upon which they undressed me, and forced me into bed, and left me, swearing, that if I made the least noise, they would come and cut my throat, to prevent my telling tales. These (as near as I can remember) are the very words they made use of.

I lay very uneasy till about nine or ten the next morning, fearing, if I stirred, my life would be taken away; and then hearing people go backwards and forwards in the streets, I ventured to dress myself; then I crept down stairs, and stole out of the house unobserved. I immediately went to Sir William Billers for a warrant for these people, but he not being in town, I returned as fast as I could to the constable of the parish, and thought to have taken them up without a warrant; but he did not care to do that. Then remembering I had heard Mr. Car's name mentioned in the company, I enquired for one Car, an attorney, and a porter at the middle-Temple told me, there was one Car lived in Elm-court. I found out his chambers, and asked the young fellow that goes for his clerk, if Mr. Car was within? He said, No. I asked him, when he would be at home? He could not inform me. I enquired if he was out of town? He could not tell whether he was or not.

Q. Did you never see the prisoner, Car, before?

Quarrington. No, nor Mrs. Adams neither; but I am sure they are the persons that did what I have related.

One thing, my lord, I have forgot. Mr. Bird, Sir William's clerk, advised me to go to Mr. Jones,

thinking he might assist me in getting my money again; and I went to his house, but he was not at home. I have no more to say, but I have sworn the truth, and nothing but the truth.

Q. How were the prisoners apprehended?

Quarrington. Mr. Car was apprehended first at his chambers, and he gave directions where he might find Adams and Prevost, but Prevost was fled.

Q. Were the directions right which he gave you?

Quarrington. I did not go with the constable to find them. He and Mr. Jones's man, upon Car's information, found out, and took Adams.

Counsel. How long was you in company with the woman you first brought into the house?

Quarrington. About half an hour.

Counsel. Did you go immediately to this house after you pick'd her up?

Quarrington. Some words were spoken, to be sure, and then I went with her to this tavern, and was there with her about half an hour.

Counsel. You had been at the alehouse before, and I suppose had drank a good many pots of beer; how much might you have drank before you come to the Angel;

Quarrington. About three pints of beer to my own share, I believe.

Counsel. But then you say you had a bottle of wine with the first woman.

Quarrington. Yes, but I did not drink one glass of it. In such houses, 'tis usual to call for something. I drank none of the wine: and as for the woman I know nothing of her, any further than by conversation.

Counsel. But you drank liberally below stairs?

Quarrington. No, I did not—Car treated me with a bottle.

Counsel.

Counsel. And you genteely called for another, and then there was a third, and a fourth.

Quarrington. No, Sir, there was no more than the third, and that we joined for.

Counsel. Was you sober?

Quarrington. I can't say I was sober, nor was I so far in liquor, but I knew every thing that passed.

Counsel. Then was you half seas over?

Quarrington. Yes, as you call it.

Counsel. So after you had drank this wine, they all of them waited upon you to bed?

Quarrington. They did so, Sir: and when they had got me up stairs, they robbed me.

Counsel. And will you stand to that, Sir?

Quarrington. Yes: as I am on my oath before the great God, I say nothing that is untrue. I have no interest in prosecuting the prisoners.

Counsel. I think you say, you crept unobserved out of the house, the next morning?

Quarrington. Yes, I saw Prevost and Adams in the kitchen, but I run out of doors.

Counsel. And did you alarm the neighbours when you got out?

Quarrington. I went to Sir William Billers as fast as I could, but I did not speak to the neighbours. I did not well know which way to proceed.

Counsel. Did not Mrs. Prevost and Mrs. Adams offer to stop you when you run out?

Quarrington. No, I crept down stairs, and run out directly to Sir William Billers. When I returned they were gone, and the doors were shut up. The house was shut up about half an hour after I got out.

Counsel. Are you sure of that?

Quarrington. I will not swear exactly to the time; but it was shut up in the time of my going to, and returning from Sir William's and Mr. Jones's.

Counsel.

Counsel. What account did you give to Mrs. Jones?

Quarrington. I was not very particular in my account to her, nor did I mention Mr. Car's name to her. What signified my mentioning the particulars to a woman?

Jury. We desire his lordship would please to ask the questions that are proper, and that the man may not be interrupted.

Car. When the woman you picked up was turned down stairs, and you followed, you say I beckoned to you. Pray, in what position was I when you saw me?

Quarrington. He was standing at the kitchen door, and he beckoned me in.

Car. Who did you see in my chambers besides my clerk?

Quarrington. I saw a woman washing a room, but I don't know who she was.

Car. What name did you go by that night?

Quarrington. I never mentioned what my name was.

Car. What did you declare to my clerk, and to the woman you saw in my chambers.

Quarrington. I said I had been robbed, and then I went down stairs, and said nothing further. I did not mention who had robbed me.

Car. What declarations did you make to the constable that you went to first?

Quarrington. I told him what money I had been robbed of; I mentioned my ring, and desired him to go to the house and take up the people. I told him likewise, that I had found out an attorney of the Temple, who was concerned.

Car. What time did you go the constable?

Quarrington. The next day, about twelve at noon: and I told him, I had found where you might be taken;

ken ; but as the constable did not approve of taking you without a warrant, I did not then tell him the whole of the story.

Car. What did my man say, when you came to take me ?

Quarrington. I asked him if you was within ? He did not speak in a minute or two, seeing a constable ? but you happened to open a door in another room, I perceived you, and said, There's the man that robbed me ; you was frightened, as your conscience pleaded guilty,——you knew it to be too true.

Car. Did not you go into the kitchen when you came down in the morning ?

Quarrington. No ; I saw Prevost and Adams in the kitchen, but I did not speak to them.

Car. And did you see nobody but Prevost and Adams in the kitchen ?

Quarrington. Yes, another woman that was there the night before, and she was crying out,—or was very sorrowful about something.

Prisoner Adams. Did not you come into the kitchen for your hat and cane ?

Quarrington. No, nor did I speak to you or any one else.

Car. Why did not you call out of the windows ?

Quarrington. I was frightened with your threats and the drawer's, and I thought, if I stirred, I should have my throat cut.—I durst not stir.

Q. Did you sleep any part of the night ?

Quarrington. I believe I slept about half an hour.

Car. Did you eat nothing in the kitchen that night ?

Quarrington. Yes, some cold lamb, and I cut my finger I remember ; and I remember that you called Mrs. Adams, your dear Betsy, and she called you, her dear Tommy.

Adams

Adams. Did not the woman you brought in, rob you of fifteen guineas and a half?

Quarrington. No, she robbed me of nothing.

Adams. Did not you offer to spend a guinea in the house, and to give the drawers money for taking care of you?

Quarrington. I did give the drawer a shilling, that was so officious as to tell me the woman was picking my pocket.

Adams. Was not you so drunk, that the drawer carried you up stairs upon his back?

Quarrington. No, I walked up myself, nobody assisted me.

Adams. It signifies nothing to ask him any more questions, he denies them all.

Car. Why did you not indict Mrs. Prevost, and the drawers?

Quarrington. Because I was told, that it signified nothing to indict them, unless they had been in custody.

Car. Did you give the same account in your information, that you have done now?

Quarrington. The truth will never err: I think I gave the same account in that, as I have done now.

William Stamper. I settled an affair with the prosecutor a night, or a night or two, before he was robbed, and he invited me to come and dine with him the next Sunday; I went, and he told me he had met with a great misfortune, and confessed he had picked up a woman, and had carried her to the Angel. He told me that she was soon turned out of the house, but that he had been robbed by several people, mentioning no names. I told him, That Angel was the worst Angel within the walls of the city, except the Angel in Bishopsgate-street, they are both Angels. He informed me, that he had lost
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ninety-three guineas, and a diamond ring, worth eight-pounds.

Q. Did he say he was robbed by the first woman?

Stamper. No, he said she was turned out of the house, because she was not one of mother Prevost's does. He gave me no account then of the robbery, but afterwards he digested every thing into an affidavit before Sir William Billers. On the Monday after the robbery, he came and told me that one Car, of the Temple, was one of the persons that had robbed him. I said, I remembered a person of that name, whom I knew some years ago; and when Car was brought to Alderman Billers's office, my curiosity led me to go to see him. I found him telling the story to Mr. Bird, and that it was the same person that I had formerly known in Bridges-street. The prisoner Car knew me, and told me, that the prosecutor, disguised in liquor, brought a woman into the Angel, whom he knew to be a common pick-pocket; that she was turned out of the house, and that he, Car himself, bid him examine his pockets; upon which the prosecutor (he said) pulled out ninety-three guineas. Car told me, he saw the ninety-three guineas, and that the prosecutor returned him many thanks for his care, and desired him to accept of a bottle of wine, which he did; and then (he said) they had another, which made the prosecutor so drunk, that he was carried upon a young fellows shoulders to bed. This was the story that Car told me at Sir William Billers's office.

Q. Do you know the prosecutor?

Stamper. I have known him a year: during which time, I never heard any harm of him. He lives upon his means? having married a woman of some fortune.

Francis Lane, constable. He gave me exactly the same account with Mr. Stamper; that Mr. Car own-

ed he called the prosecutor into the kitchen, that he advised him to tell his money over, and that he saw him pull out eighty guineas, which were laid on the table, and thirteen guineas he kept in his hand.

Car. Did not I order my laundress to go with you to the place where Mrs. Adams might be found?

Quarrington. Yes, and she went with us, and enquired for her. When she appeared we took her, and she immediately cried out, — Oh! you are a base jade for detecting me. No one knew where to find me but you.

Adams, to the constable. Did not you leave me in the street, while you went into a cook's shop for a dram of gin?

Constable. No, my lord, she was never out of my sight: nor did I go any where for a dram of gin.

Car. Might not I have escaped?

Constable. No, I believe not; I took care that you should not.

Adams. My lord, I don't see that 'tis to any purpose to ask them any more questions, when they deny all.

Mr. Deveil. Some few days ago, — I cannot exactly recollect the time, — Mr. Quarrington applied to me for a warrant to take up the prisoners that are untaken; and he told me this story exactly agreeable to the evidence he has now given. I have known him and his parents a great while; I never heard any harm of him in my life; I believe him to be an honest man, and have heard he has married a woman of good fortune; but his life and conversation since his marriage I know very little of.

Car. Mrs. Prevost is the widow of one Prevost, who was master of the king's seal office, in the King's Bench and Common Pleas, and I thought my acquaintance with her not degrading. I did business for her

her as an attorney, and was spoke to by Mr. Stevens, an officer, to attend her this night: Mr. Salt can inform the court what my business was, and he likewise knows the reason of my being in the kitchen that very night. I shall prove that I was at home, and in bed in my chambers in the Temple, by one o'clock, before the Temple watchmen went one o'clock. I will prove, that next morning Mrs. Prevost sent for me, and that I met Mr. Salt afterwards at Hick's Hall; that the prosecutor told my clerk how he was robbed, and promised to reward him if he would find out the people out of the house. I was angry when I heard the prosecutor had been to enquire for me, that they did not ask him where he lived. On the 12th of September, one John Andrews, a joiner, or a carpenter,——a man of evil fame,——the man that made Rudkins's will, he came to me, and told me, that a school-fellow of his had been robbed of ninety-three guineas at the Angel, and if I did not find out the persons before the money was all spent, the man would swear the robbery against me; he said I must come down the whole, or the best part of the money. I told him, I would endeavour to find out Mrs. Prevost and the drawers, but the people had carried off all their goods, and were gone off. The man told me, if I had no money, I had good books, and must make money of them. I never kept out of the way upon this account. I was sent for to Hampstead upon business, but I refused to go, because it should not be suspected that I kept out of the way.

The Monday after the robbery, two gentleman came from Greenwich, where I live in as much reputation as any man that practiseth the law in the whole place, and when I told them I was to be sworn into a robbery, they laughed at me.

The Wednesday following this, Andrews came again, and I asked him to let me see the gentleman; he said, No, I should not. I told him I would advertise the people, and endeavour to take them up: but he told me that would signify nothing, and immediately he took a sheet of paper, and fell to writing, This deponent maketh oath,——without setting down any name; and what he then wrote was very different from what the prosecutor has said now. It is very unlikely I should be concerned with Mrs. Prevost and Mrs. Adams, and two Irish drawers, in executing a robbery. I was so far from calling the prosecutor into the kitchen, that I sat with my leg up in a chair when he came in, and told us, he did not know how to make us all amends, for coming into so honest a house.

Mr. Thomas Stevens deposed, That he informed Mr. Car that Mrs. Prevost, desired him to call upon her for instructions, in order to his being employed in defending her at Hicks's-Hall; an information being there lodged against her, for keeping a disorderly house.

Mr. Salt deposed, That he was concerned in the prosecution of Mrs. Prevost, for keeping a disorderly house, and that Mr. Car appeared in her defence, and he seemed not to be under any concern.

Court. Mr. Car is not to be tried by his looks, but by his actions.

John Crofter. Mr. Salt served me with a subpoena on Friday night, for me to appear at Hicks's-Hall against Mrs. Prevost. She sent for me to her that night; and there I found Mr. Car and Mrs. Prevost, with some other neighbours who were subpoena'd with me on the same account. Mr. Car told us that we need not obey the subpoenas, for they were not legal ones. We left the house about twelve o'clock

o'clock that night, and left Car behind us. There were Mr. Car, Mrs. Adams, and Mrs. Prevost, and one Mr. Spidel. I did not see Quarrington there.

Robert Thomlinson gave an account, that he was sent by a woman from the Angel to fetch Mr. Car from his chambers, No 4, in Elm-Court, in the Temple. That when he returned to the Angel, he saw the woman crying; that she bid him come again in two hours for his money, which he did, according to her orders, but found the doors all shut up, and that he never had any thing for his job.

Cbarus Phillif n. I am clerk to Mr. Car. On Saturday the 10th of September, while my master was at Hicks's-Hall, attending Mrs. Prevost's affair, the prosecutor came to the chambers to enquire for Mr. Car. I told him he was not at home; he said he came about a thing which would be of great advantage; but he would not leave his name nor his business: at least he said he had been robbed at the Angel, by the people of the house. Upon this I called the landlady, and he told her the same. He did not charge Mr. Car, nor mention his name; he only in general charged the people of the house, and desired to know if my master could give any intelligence of them. He told us likewise, that when he came down in the morning, he acquainted them that he had been robbed, and that he went out in order to ask advice of a friend, but when he returned, the house was shut up, and the people were fled.

Q. What time did your master come home that night?

Phillipson. To the best of my knowledge, it was before the watchman went one. At that time he had a leg in so much hazard, that no man could think him capable of taking a man by the collar and robbing him. He had nine holes in his leg, and he could

could not walk up stairs without resting himself. On Monday the 2th of September, one Andrews came to the chambers to enquire for my master, and he told me he came about one Wilfon, and said, it was a sad affair, and he was sorry for Mr. Car, but this Wilfon was a school-fellow of his, a particular friend, and had been robbed, and if my master did not compound and settle the affair, it would be sworn upon him.

Q. How do you know this Andrews meant the prosecutor, when he talked of Wilfon?

Phillipson. Because he mentioned the Angel, and I suppose there had not been two robberies committed there.

Quarrington. My lord, if I may speak, this Andrews I know nothing of; I never saw him in my life.

Q. Was this Andrews acquainted with your master?

Phillipson. He was concerned with him some time ago, in a distress that was made at Wapping.

Martha Grainger. the laundress. I have forgot the day of the month, but I remember it was on Saturday, about half an hour after one, that the prosecutor came to enquire for my master; he happened not to be at home.—The clerk asked him his business, and he informed us, that he had been in my master's company at the Angel the night before, and after Mr. Car was gone, he was robbed of ninety-three guineas, and eleven shillings in silver, and of a ring which he valued at eight guineas. He did not say who robbed him, but he told us, that he lay there all night, and got up in the morning; that he came down stairs, and complained to the woman of the house that he was robbed, and then he said he went out to advise with a friend; but when he returned,

returned, the house was shut up, and the people were all gone. He told us, he should be glad if Mr. Car could give him any information of them, and where they were gone. He did not then pretend that my master was concerned. I asked him if he suspected any person in particular? and he told us, No, he did not. I have looked after Mr. Car's Chamber eight years.

Q. Are you married?

Grainger. No, I was hired to do his business.

Car. What time was I a-bed that night?

Grainger. Before the watchman came one o'clock. I was not a-bed when he came home; he ordered me to get him a clean shirt against morning. At this time he was lame, and had nine holes in his legs.

Counsel. But he could walk about.

Grainger. Yes, with his garters untied, and he could not get up two pair of stairs without resting. My master was very angry, because we did not ask the prosecutor where he lived, and he told us, if he came again, he must see him. Accordingly, when he came again, my master was coming out of his study, upon which the prosecutor turned round, and brought in the constable, and said, there is your prisoner.

Jane Lucas. I was servant in the house when the robbery was committed; I went to bed that night about twelve, and I left in the kitchen only my mistress, the two prisoners, and the two drawers, no soul else was there.

Q. Why, was not the prosecutor there?

Lucas. O! yes, the man that lost his money.

Q. Were not the drawers in the kitchen?

Lucas. No, Edwards and Travers, that we called Nat, were about the house, but not in the kitchen, I heard no noise all night; but next morning,
when

when I got up, I found the street-door a-jar. I imagined the drawers had forgot to shut it over-night; I rung the bell to call them up, and my mistress was in bed, but she called to me, to know the reason why Nat was not come down: I went up to see what was become of them, and I found their bed made, and that they had not been in bed all night. I came down, and told Mrs. Prevost of this, and she was affrighted. Lord, says she, they have certainly killed the man; run and call Adams, and see if the man is safe. I went up, and found the prosecutor snoring in bed, then I ran immediately to Mrs. Prevost, and told her the man snored. Lord, says she directly, we are all ruined, let me go and see what I am about. The prosecutor presently came into the kitchen, and he cried, I am robbed! I am robbed! three times in the kitchen, but he did not charge any body; and away he went. Mrs. Prevost being very timorous and fearful, she went away too, because she did not know where to go nor what to do. Call Betty Adams, says she, and let her be gone too, till we see whether we are safe.

Q. Was any one in the kitchen beside yourself, when the man said he was robbed three times?

Lucas. No, there was none but himself; for my mistress was doing her things up in the bar—she was so affrighted.

Q. Why, did not you say, your mistress was in bed?

Lucas. Yes, Sir.

Q. Why, when did the man come down, and say he was robbed?

Lucas. While we two were talking of it, she in bed; but she got up.—She laid in a little room behind the bar.

Q. But, when the man came into the kitchen, and said he was robbed, she was in some confusion, and

and was for packing up her things to be gone?

Lucas. Yes, Sir. And indeed I tell the truth of the thing, was it for K—n G——e, I would not tell a lie to damn my soul.

Q. What were the words she made use of when she heard the man say he was robbed?

Lucas. I cannot tell whether she heard the man say he was robbed or no.

Q. Why, you say she cried out she was ruined, and undone?

Lucas. Yes, Sir, but that was before the man came down, and she bid me lock up the doors, till things wer put in order.

The prisoner *Adams.* Why, did not the man come into the kitchen for his hat and cane? And did he not speak to me at the same time?

Lucas. I cannot swear whether Mrs. Adams was there or not?

Counsel. You said, there was none but you in the kitchen, when the man came down stairs.

Lucas. Sir, I was busy a dressing my mistress. I was busy with her in her room, and she sent me to call Mrs. Adams.

Counsel. To give her notice to go off, was it not?

Lucas. Yes, Sir.

Joseph Allen. All I know of the matter is this, this creature, Lucas, lived with me about six months, and I believe her to be an honest, harmless creature. I sent a porter to Mr. Car in Newgate, to let him know she had lived with me. I know Mr. Car, and have employed him, and paid him. I know no harm of him, not I.

Eliz. Bristow. I live over the way, and sell greens. On that Saturday morning, I think it was last Saturday was three weeks, I heard a great mourning, between eight and nine in the morning, and I heard

a man say, O! O! O! I am undone! what shall I do? Give me my money and ring! and another voice said, What would you have me do? I can do nothing till they come: then I lost the voice, and presently the house was shut up.

Dr. Lilly. I have known the prisoner Car some years, he was well born and educated, but I have had no great acquaintance with him. I thought him too well educated to have been guilty of such a fact: I always thought him an honest man.

Mrs. Jones. The gentleman that lost his money, came to enquire for Mr. Jones, by Mr. Bird's directions. He said he had been at the Angel the last night, and had been robbed of seventy guineas, some silver, and his watch and ring. The woman of the house he said took his money; he named none else.

Car. I desire John Bundy may be called; he heard Quarrington's first complaint.

Bundy. I know nothing of the matter, only I heard Quarrington tell Mr. Gold, a constable, that he had been at the Angel, all night, I think, and Mr. Car, he said, was up stairs with him. He came to Mr. Gold to take charge of him, for he said that Car had robbed him of ninety-three guineas, eight or ten shillings in silver, and a diamond ring.

Mr. Justice Poulson, William Trigg, Joseph White, Thomas Hitchings, James Alder, Andrew Thompson, William and Peter Hack, Charles Bailey, Edward Mabert, and — Pardoe, always took the prisoner Car to be an honest man, and never heard any thing like this of him before.

Adams. I have no witnesses, for Mr. Mabson told me the matter was made up.

Bartholomew Smith. Mabson, I believe, had told Mrs. Adams that the affair would be made up, for

I went

I went to her in Newgate last Tuesday, and she told me she should have no occasion to trouble her friends, for Mabson had been with her. Mr. Quarrington was at the coffee-house with Mabson, and Mabson asked him what he intended to do? He replied, he would do nothing without his attorney.

The jury found both the prisoners guilty. *Death.*
They were executed at Tyburn, January 18, 1737.

GEORGE PRICE, for the Murder of his Wife, October 10, 1737.

GEORGE PRICE, of Isleworth, was indicted, for that he, not having the fear of God before his eyes, &c. gave his wife a mortal wound, of the breadth of five inches, and the depth of two inches, of which mortal wound she instantly died.

Thomas Barber. The deceased lodged in my house. On Monday, October 10, she went out in the morning, and returned about eleven o'clock, and told me her husband was come, and she was going to meet him, and to go abroad with him, and she borrowed a hood and cloak of my wife. But she not coming home all night, I blamed my wife for being so free in lending her things; upon which she said, she would get Mrs. Lamb to go to the prisoner's master, to know what was become of the woman. Some time after this Mrs. Lamb came and told her, she had been at Mr. Coke's, and the prisoner had told her he had not seen any thing of his wife, but if the hood and cloak did not come home again, he would pay for them. Some time after this I was mentioning the thing to a young man, who came to my house, and he informed me, that the prisoner fetched his wife out in a chaise from the Wool-pack, a public-house

in Monkwell-street. The prisoner had promised to pay for the things if they should not be returned; but on Tuesda, the eleventh of October, about two or three o'clock in the afternoon, a man brought to me in the shop a bundle, with a letter. I asked the messenger from whence he came? He told me it came by the post, and away he went immediately. I opened the bundle, and found the hood and cloak, and this letter with them, which I have compared with about twenty letters of the prisoner's own hand-writing, found since he absconded, and I apprehended this, which I received with the things, is the same with the rest. I examined the outside of the bundle for the post mark, but could find none. What made me suspect the prisoner the more, was my finding this stuff in one of the letters to his wife, I think they call it Savin, and there are some directions in the letter concerning the poisoning his children.

Mr. Coke. I have some knowledge of the prisoner's hand-writing, and I take this letter, which came with the bundle, to be wrote by him, and have receipts now in court, and a letter which he sent me the day after the fact was committed, and they seem all to be wrote by the same hand.

The Letter, produced by Mr. BARBER, was read.

Mrs. BARBER,

I have sent your cloak and hood, and if that person comes, that I used to call my husband, for the box, let him have it; for I promised, when he parted with me, to leave it at Mrs. Lamb's till he called for it, and was never to see him any more. When I heard he was coming, I thought it my prudent way to make off, because I have run him so much in debt. I am now gone to a relation in the Wild of Kent. Take what other things there are left, I mean

mean to pay you and Mrs. Lamb ; if there should not be enough, what is left unpaid, I will send as soon as God sends me any thing ; but I was ashamed to stay, when I found it known that I was not his wife.

From yours,

MARY CHAMBERS.

Mr. Barber. Chambers was the deceased's maiden name ; and this is the very letter which I received with the hood and cloak on Tuesday, October 11. When the prisoner was examined before the Lord-Mayor, I was present, and heard him own that he took her out in a chaise from a house near Cripplegate, and that he delivered her to a man at the Monument After I had received this letter, I went to Mrs. Lamb's, and there I found the prisoner ; I told him I was afraid he had made away with his wife ; he declared his innocence, and I told him I had received a letter which tended to make him innocent, but I doubt you wrote that letter yourself. Upon this he burst out a crying, and desired me to have a care what I said, for, says he, my master will not trust me to shave him, if he should hear I am suspected of such a thing.

I charged him with having taken his wife out in a chaise, from a house at Cripplegate ; but he denied it to me, and said, he was that night at the play-house, without mentioning which of them. I taxed him further in the presence of his fellow servant, upon which he said he would go home to his master, who understood the law, and he should clear him. He went to his master, but he absconded that very night ; all this passed on the same day I received the letter and bundle, Oct. 11, and that very night he run away.

When

When I heard of a woman being found murdered at Hounslow, I went thither, and knew her to be Mary Price. I found her in the Stock-house at Isleworth; I am positive it was the deceased, and I found the scar of a wound upon her right leg, which she received by a pitch-fork when she was a girl. When the prisoner was before the Lord-Mayor, among other questions, he was asked, how he came by the chaise again, for it appeared that he brought it home again at night? His answer was, that he left his wife and the chaise with another man at the Monument, who drove away with her, and that he found it again at night at the same place, a boy having brought it thither.

Martha Barber. The deceased lodged at my house between three or four months.—On the tenth of October she went out about eight o'clock in the morning, and came home about ten or eleven, and borrowed a hood, a cloak, and an apron, to go out again in; but, as she did not come home all that night, I got Mrs. Lamb to go to Mr. Coke's, to enquire if the prisoner had seen her; he sent me word he had not seen her; he sent me word he had not seen her, but if she owed me any thing, he would come and make satisfaction. The deceased having told me when she went out, that she was going to meet her husband, who was come that morning out of Kent by the hoy, I sent to the master of the hoy, and found that she had met him that morning. I was uneasy about my hood and cloak, but the next afternoon, (Tuesday) the same hood and cloak, which I lent the deceased, was brought home, with the letter that has been read, by a man who said the parcel came by the post: the apron was found in Mr. Coke's house after the prisoner absconded. The prisoner promised to pay me what his wife might have left unpaid.

Prisoner.

Prisoner. I don't know these people, nor did I ever see them, till they charged me with this fact.

Jonas Harris. On Monday, October 10, the deceased came into the Wool-pack in Monkwell-street, and called for a pint of beer; I had some knowledge of her, and so we fell into discourse. She told me her husband was that morning come from Canterbury, and she was waiting for him; she said he had provided a place for her at Wandsworth, and was to come and carry her thither in a chaise. About two o'clock the prisoner came to the house, but without the chaise; he would not come in, so the deceased went to the door, and talked to him a little while; then she came again into the house, and he went away; as soon as he was gone, she told me that her husband had hired a chaise, but the horse wanted shoeing, and that he would bring the chaise to the end of the street, when the horse was shod, and she was to go to him there when she saw the chaise. About half an hour afterwards I saw the prisoner, if a man may swear through the glass, in a blue livery, answering to the description that the woman had given me, with the chaise, at the end of Hart-street, near Cripplegate; as soon as she saw him, she started up, and said she must be gone: and I saw her go down the street towards him.

Mr. Coke. The prisoner went away in a blue livery; that is the colour I give.

Mr. Harris. When we heard of a woman being found murdered at Hounslow, I went down with Mr. Barber to view the body, and I am positive it was the reputed wife of the prisoner; she had a particular mark upon her arm.

Jane Hart. The prisoner came to our house the tenth of October, between eleven and twelve in the forenoon, to hire a horse and chaise: I told him we had

had only a chaise, but I recommended him to Mr. Milling for a horse; he went and hired the horse, then he came back and agreed with me for the chaise; he gave me but two shillings for it, because he told me he wanted it only to give an acquaintance an airing, and should go no further than Sir Gregory Page's on Black-heath. He had the chaise from us between two and three in the afternoon, and my husband helped him to put the horse in it. The same night, about twelve o'clock, the prisoner brought home the horse and the chaise, and I saw my husband unharness the horse: then he desired to know, if he could not lie at our house that night; but we told him we had people come from Canterbury, and that our beds were full. The prisoner said, if they were Canterbury men he would go and see if he knew any of them, and he went into the rooms where they were; but not knowing any of them, he said he would go home to his master's house.

William Hart. The prisoner paid me two shillings for the chaise, and Mr. Millings, at the Three Colts, had four shillings for the horse; I saw him drive away, and when he returned with the horse and chaise at twelve o'clock at night, I told him he had been a long while at Black-heath; I have been further, says he, I have been at Dartford. Have you? says I? Then the horse has had a bloody hard job of it, to go so far in so little time, when the roads are so very bad. The horse had sweated much, but the sweat was dred upon him when he came home.

Jane Proffer. On the tenth of October in the morning, the deceased came to my master Coke's house, to know if her husband was come from Canterbury; when she heard that he was expected that in the hoy, she said she would go down and meet him at the hoy.

About

About eleven o'clock she returned to our house, and told us he was come, and she had got his bread and cheese, and the dram that his mistress had given him, in case he should be sick, and she could not stay at all with us, because he had appointed her to meet him somewhere by Wood-street, to carry her to see a place which he had provided for her. I asked her if she would go with him, when she knew he had attempted to poison her? Yes, says she, I will, I neither love him, nor fear him. I desired her to let me hear from her, and she told me she would, and that if I did not see her next morning, or before noon, I might depend upon it she was killed; then she went away. Between twelve and one o'clock that night, the prisoner came home to my master's house, and complained that his back ached very much, and he wished he had had the dram his mistress had given him; but, says he, I left it behind me at a public-house. Upon that I asked him if he had not seen his wife? No, says he, as God's my judge; I have not seen her since I parted with her at my uncle's: I have had two children by her, but I have parted with her. While we were talking, a woman knocked at the door, and enquired for him. He took her into the laundry, as they passed along, I heard her say, Why, when did you see her? Hearing this, I went into the laundry, and asked her, if she did not come to enquire after George's (the prisoner's) wife, or sister, as he called her. Yes, she told me she did, and asked me, if she did not come there last night? I told her she did not, and would have had more discourse with her, but the prisoner was too intent upon getting her out of doors; so I followed her, and overtaken her, I took her to the Three-Tun ale-house; I asked her what the prisoner had said

NUMB. XVIII. O o concerning

concerning the deceased? Why, says she, he says she is none of his wife, and what can any body do to him then? But, must the woman be murdered, says I, because she is not his wife? I am resolved I will go down to the hoy, and enquire what time she was there; and accordingly I took my master's brother's man with me, and went down to the hoy, and heard the deceased had been there to enquire for the prisoner; then we went home, and acquainted our people with what we had done, and we went directly to Mrs. Lamb's, and enquired for the prisoner; we found him there, and I asked him, if he had found his sister, as he used to call her. No, says he, nor, d——n her, do I intend to look after her. I told him I had been at the hoy, and that he came from thence at eleven o'clock, and I asked him where he had been from that time to twelve or one o'clock that night? He said he had been to see a play at Drury-Lane play-house. From Mrs. Lamb's he came home with me, and as we came along together, he told me, I had taken a great deal of pains about the deceased, and he would make me amends. I had the letter that was sent Mr. Barber, with the hood and cloak, at the same time about me, and comparing it with one the prisoner sent me, about a week after he absconded, I do believe it to be his own-hand-writing. This is a cap, handkerchief, and apron, (shewing them to the court) which my master's brother's man found in my presence, (after the prisoner was run away) in a place where he locked up the plate; we were forced to open the lock, because he was gone away with the key in his pocket, and there we found these things.

Mrs. Barber. I believe this is the apron I lent the deceased, but this handkerchief I am positive to.

Proffer.

Proffer. I taxed the prisoner with having seen her that morning, and he then told me positively that he had not, and that if ever he did see her again, he would shoot her. But when he was examined before the Lord-Mayor, he confessed that he took her from Wood-street, and delivered her at the Monument to a stranger, and if she was killed, it was for the sake of a guinea, which he had given her to buy her a gown to go to her place in. He likewise owned, that he had seen her at Bear-Key that morning, and that he bid her go home and get a clean apron, that she might go out with him.

Prisoner. Were there any marks of this villainy upon my cloaths?

Proffer. No, only you complained of a pain in your back.

Taylor. I saw the prisoner that day at Mr. Hart's; I asked him how he did? He said he was just come out of the country, and had a little business to do, which would prevent his going home that night; he desired me to take no notice that I had seen him, because he should not go home before morning.

Prisoner. Did I say punctually, that I should not, or, that I only believed I could not go home till morning.

Taylor. He said he had a little business to do, and could not go home till morning.

Margaret Lamb. The deceased had been at a town called Sea-Salter, and when she came home, she visited me, and told me her husband was a murdering rogue, and had a design upon her; that he had sent her physic to take, and it proved to be savin. She pulled a letter out of her pocket, and shewed it me at that time, it was to desire her to lodge at Clerkenwell, and not to go near any of her acquaintance.

Another letter was produced, directly to *Jane Profser*, at Mr. Coke's.

Mr. Coke. This I take to be the prisoner's handwriting.

My dear fellow servant,

I Find how the villainy has been contrived that sent me away, but hope God will provide for me. She met me at Bear-Key, and I was surprized to see her, having parted with her before. So, says she, how do you do? My heart came in my mouth, and I could make her no answer. Well, says she, if you turn me off to seek my fortune, will you tell me good news? My resolution is, says I, to have no more to say to you. Has the young man had his shirts? Yes, says she. Have you got a service in town, or do you go to your aunts? says I. I am to have a nurse-child from Putney, says she, and there is a young man who knows you very well, will help me to the child, but I want money to pay for a horse and chaise to carry me thither, and this is the last time I'll trouble you, says she. I being overjoyed at that, I would hire one for her. She said, if I would give her the money she would hire one herself. I thought I should be cheated of the money, so I told her we must stay till to-morrow, for I must go home with my master's things. It will be too late then, says she, and I must go thither at night. All this passed at a public-house in Tower-street, by Mr. Watts's academy, where I gave her the bread and cheese which I had in my basket. It was God's mercy I had not the horse and chaise to pay for, but God owed the owner of them better fortune. It is a scheme to take away my life, because I did design to take up and lead a good life. Give my duty to my master; on my knees I will ask his pardon for leaving his

GEORGE PRICE, *for Murder.*

281

his service: I trust in God he will take me again, and stand my friend, as I am a poor servant and friendless. At present I am not able to come, I am so bad with pains all over my body and head, that I can hardly stand; but I will starve myself rather than spend my master's money. Take my shirts, dear Jenny, into your charge, I have but few things, but I hope God will bless me, which is all from,

Your unfortunate fellow-servant,

Oct. 17, 1737.

GEORGE PRICE.

P. S. If you please shew this letter to my master, and to all those I owe money to; tell them, with the help of God, I will pay them all I owe, which will not come to seven pounds. I asked her what time the man was to come home with her? She told me, she would have me wait. I said, I thought they might be back about ten or eleven o'clock: they told me, if they did not come back by that time, they would not come till next morning. I said, that I would go then to the other end of the town; but she repeated her words, that I must not go till she saw whether she would have this child or no, and that I must swear I had not seen her. I *misfortunately* promised to say as she desired me, it being the last time that she troubled me; so I went to Drury-lane, and from thence I ran to Fish-street-hill, where I found a boy leading the horse and chaise, who told me, he had six-pence for bringing them from St. George's church in Southwark, by a man who looked like a sailor; but it was not like the man that went out with her, for he was like a carpenter.— The boy told me, the man came with him to the foot of the bridge, then left him, telling him, he would meet somebody to take the horse from him. I laid down my dram upon a table, as God is my judge I never tasted it, and you say she got it. She gave me the strictest charge

charge to say, if I chanced to meet any body that knew her, that I had not seen her. I did so, but there is a God in heaven, who by some means or other will right my cause. At present I am fatherless, motherless, and friendless. I went to look for a horse that would carry double, but I could not find one, so I got a chair, and took her to the Bridge-Foot, where I met this man, whom I never saw before, and I asked him the reason of his going that way to Putney? He told me it was to save the expence of going over Sir Robert's bridge. I gave her half a crown at the ale-house in Tower-street, which I suppose she spent; for before she went off, she gave me her handkerchief, cap, and apron to be washed.

Prosser. This cap and apron was found as I have mentioned, and the letter was brought me by a man who looked like a countryman, and he asked me, if I knew one Jane Prosser? He told me, it came by the carrier that comes in at the Old-Change. I shewed my master the letter, and he kept it to to this very day.

Mrs. Barber. The apron was clean when I lent it to her, and the handkerchief I know she had on that morning she went out.

Thomas Ansol, surgeon. I was sent for to view the body of the deceased, by order of Mr. Higgs, the coroner. I found a large contusion on her neck, and a large cut, which entirely separated the tendon of the neck, and divided the jugular vein. Her nose was likewise slit, and she had a slight wound above her eye-brow. These wounds were curable, but the others in the neck were mortal.

Thomas Scot. On the tenth of October, about a quarter after six in the evening, I was going over Hounslow-Heath to work, and I heard a woman's voice, I thought, about two or three hundred yards from

from me. I laid myself down upon the ground ; for we country folks imagine we can hear any thing at a distance much better in that posture. I heard the woman cry, O Lord ! my dear ! my dear ! I will never trust you any more, if these are your favours. The next day the woman was found murdered about two or three hundred yards from the place where I heard the voice.

Mr. Coke. I had been in Kent all the summer, and towards the latter end of it, I came up to town with the prisoner : as we came along he had a fall from his horse, and hurt himself, so I made him go back, and ordered him, when he was better, to come by the hoy. He came home on the tenth of October, about twelve o'clock at night, as I was informed ; I did not see him that night, for my brother got out of bed and let him in. He was very angry with him for being late, and, to justify himself, he told him, the hoy was but just arrived ; he told me the same thing the next morning. I asked him what was the reason that he did not lie on board, as the hoy was so late ? Sir, says he, I met Mr. Milford's man John Taylor, and he told me your brother and you were out of town. I thought these excuses a little odd, for Mr. Milford's man had seen him at twelve o'clock at noon that day, and he desired him to say, he had not seen him at all. However I gave him three guineas to fetch something from Godfrey's, the chymist, I knew it was a costly thing, and did not know the exact price ; he brought home what I sent him for, which cost but ten shillings, and that day he absconded with the rest of the money ; for when I came home in the evening, about six or seven o'clock, I called for him, and my brother's man told me, he went out about five or six, and said he was coming to me at the coffee-house ? but he was not

not returned, and he believed he would come no more; from that time he never came to my service. The next day he wrote me a penny-post letter, telling me therein, that he was over head and ears in debt; that he must go to sea, and that he dare not shew his head. He pretended he ran away for debt, but in that long letter to Proffer, which has been read, he says, all his debts in the world were but seven pounds, four guineas of which he owes my brother's man, who would never trouble him for it. I have told you the excuse he made to me and my brother for coming home so late, was the hoy was but just arrived; but the reason he gave to Proffer was, that he had been at Drury-lane play-house.

Francis Heath. I belong to Mr. Fleetwood, master of Drury-lane play-house. This is the book we keep our accompts in. On the tenth of October last, there was no play acted there at all.

The Prisoner's Defence.

My Lords, I declare I am entirely innocent of all that is laid to my charge; and I am so far from knowing any thing of the murder of my wife, that I can take a solemn oath, I know nothing at all of it. It is very plain, my lord, that there is a scheme of villainy laid before you, when I lay the manner of its contrivance before you, I make no doubt but you will think so too. My wife I loved as I do my own life, I married her for nothing else; and indeed she merited all my love, being a virtuous, sober, good woman. If she was not so frugal in the management of what little she had, it was our misfortune only. I hope your lordship and the jury will put a charitable construction on my leaving my master's service. You will find I did not, without
good

good reason, and that I am not the villain I have been represented. If I was, I think I should never have had the confidence to have looked your lordship and the jury in the face. I have no friend but God to be my counsellor, and innocence must be my defence. And I believe several people now in court have reason to think I speak the truth. I think they have now discharged their duty to the king; now let them declare, whether they think I deserve some of my wife's speeches. I have taken pains to preserve her life, never any to destroy it. If any of them can say I ever misused her, let me suffer blame; but, till then, I hope your lordship will hear my cause. Ask Mrs. Lamb in what manner I used this woman, this wife of mine?

Mrs. *Lamb*. He used her very well: in a fit of sickness she had, he fetched his master's apothecary to her, and desired him to discharge his conscience to her, and make her well. When she did not take her medicines, the prisoner would blame her. He paid her lodging, and her nurse. I know no fault in him; how this happened I cannot tell.

Counsel. How long is it since the deceased had this fit of sickness?

Mrs. *Lamb*. About seven or eight months ago. I am not sure whether the apothecary is paid or not.

Prisoner. He is not paid; this is his bill. Pray call Mrs. Sherwin, and asked her where I spent the evening on Monday the 10th of October.

Mrs. *Sherwin*. I remember nothing of it. There is a woman under misfortune in Newgate, and I went with an elderly man to see her. While I was there, a breviat was wrote out, by which I was to clear the prisoner. I was to say, that he and his wife were with me at supper that night, and I was to be well paid for my trouble. This is the paper

of instructions which I received from the prisoner, and thus far (pointing to the middle of the sheet of paper) he wrote himself. I was carried to Newgate by this elderly man, to do service for somebody, I did not know who; when I came there I found it was for the prisoner, and was to be paid for doing it, but I don't desire to get money at such a rate. The paper was read.

"My Lord, on Monday October 10, about nine o'clock in the morning, Mrs. Price came to my house in Aldersgate-street, and drank tea with me. She told me she was going to see a place, but that she must stay till her husband came to London, which would be that day, because she wanted money. She told me he would be surprised to see her, for at Canterbury she told him, she would send him word when she got a place, or else she would go to her aunts. She asked me to go to Bear-key with her, to see if her husband was come up; I told her I could not go with her, but I would come after her, and she was to stay for me at the Cock alehouse in Tower-street. I went out a little before two o'clock, and the prisoner and his wife in Tower-street. He had with him a parcel tied up in a paper, and a twig-basket with pigeons in it, which he said he was going to make a present of to his master Lane. I heard her tell her husband, that she had heard of a service in the country, and if he would get her a horse, she had a person ready to go with her in the evening. He said his master would lend him money, and therefore she should not go to her place while he staid in twon, and she should have haif the money. He said he had some business to do, and must go, but would meet us again at the King's-head alehouse in Clement's-lane. We went there, and drank a pint of two-penny, then he returned to us, and told

us

as he was disappointed of money, but he would get a horse for her, or a chaise; which she consented to, and complaining of the poorness of her cloaths, the prisoner took out of his pocket a guinea and a sixpence, and said, if he could get that changed, he would pay for the chaise, and give her the remainder of the money. I told him, if he would give his wife the whole guinea, I would lend him ten shillings to pay for the chaise, which I did, and am not paid to this day. The deceased then ordered her husband to bring the chaise to the Wool-pack in Monkwell-street, and charged him to tell his fellow-servants that she was gone into the country, and had been there some time; and she desired him to deny that he had seen her.—All this I heard her say to him.—While he was gone to see for the chaise, a man came to the deceased, and she went out to see after her husband. At three o'clock she returned to the man, and the prisoner with her in a chaise.—I saw the man and she go away together in the chaise, and the prisoner asked the man, what was the meaning of his going over the bridge to Putney? The man replied, that it was to save the expence of Putney-bridge, and promised to be back about eleven o'clock; the prisoner said he would meet him to take the horse and chaise, if he did not exceed that time; if he should, he begged the man would put them up at the Star inn, and he would fetch them from thence. He gave his wife half a crown at parting, to bear her expences, and kissed her."

Sherwin. These were my instructions, and this was what I was to swear here: I received this paper from the prisoner yesterday morning, I had it to peruse often over; it is part of a play which I was to act here, and was to be paid very handsomely for performing my part.

Mary Pennystone gave an account, that the deceased lodged with her three quarters of a year; that she had two children in her house; that she went from her house last Christmas was twelvemonth; and, that during the time she lived with her, the prisoner used her well.

Mary Sale deposed to the same effect.

Mary Finch. I knew the deceased before she married the prisoner: she lodged in my house, and was with child by him, and she was delivered of two children three doors from where I live; I nursed them for some time, and parted from them last Whitsunday. He and she have dined with me three days together, and I saw nothing but what he used her well. He paid me for nursing the children to a farthing, at the White-horse, in Bond-street. He was civil to his children, and never came empty handed, without biscuits, or half a pint of wine for them, but I can't tell what's become of them now.

Counsel. Do you know what month it was when he paid you?

Finch. I can't tell.

Counsel. Was it May or June?

Finch. I don't know.

John Johnson gave an account, that the prisoner, on Monday, November the 5th, sent for him to the Bear and Harrow tavern, and told him, he surrendered himself to him, and desired to be carried before a magistrate; that in St. Clement's church-yard he left the prisoner to go home for his hat, that he found him there again, and that they went directly to Mr. Coke's; that the maids there were afraid they were come to murder them, and called in some neighbour's servants, that when the constable came he was not willing to take charge of the prisoner, till some threats were used to him; that the prisoner said
before

before the Lord Mayor, he had hired a chaise for his wife, and a man had drove away with her in Gracechurch-street, who was an acquaintance of hers, and that he had the chaise again from a link-boy about eleven o'clock at the Monument.

Prisoner. As soon as I parted with my wife at the Monument, a man told me he believed I did not know him; but, says he, that's my friend who is gone with your wife, and if you'll go with me this evening, I'll treat you; I thought I must oblige him, because he and his friend had helped my wife to a service, so I went with him to Drury-lane play-house, and there being no play acted there that night, we went to Covent-garden, and saw Volpone, or The Fox, with the entertainment of the Mock Doctor.

The jury found the prisoner guilty. *Death.*

The Ordinary's Account.

GEORGE PRICE was born at Hay, in Brecknockshire, of reputable parents, where his father now lives, but his mother has been dead about 16 years. He was not put to any trade, but served a gentlewoman in Brecknock town in the character of a foot-boy: this was the first person he ever lived with as a servant; and the extraordinary liberties he was here allowed, filled people's heads with odd conjectures about him. He continued in this service about seven years, and his behaviour was all the time more like that of a master, than a servant.

At the end of this term he left Brecknock town, and came to London; for some time he lived as a servant with an apothecary, in Clement's-lane, Lombard-street; from thence he went into the lady Page's service, and, after he had been in London about

about a year and a half, he returned to Brecknock town, and continued some little time with his former mistress; then he set out again for London, and at parting she made him a present of a very handsome watch.

He had not been long in town, before he got into the service of one Mr. Brown, who then lived near Golden-square. Mr. Brown having frequent occasion to go to Hampstead, his man Price generally went with him, and at this place began his acquaintance with his deceased wife, (Mary Chambers) who lived at a public-house, where he fell in love with her, and, after a fortnight's courtship, he married her at Hampstead; and when the ceremony was over, he carried her in a coach to the White-hart at Highgate, and there they both lay the first night.

The next day he returned to Hampstead with her, and took lodgings; here he left her, and returned to his master Brown's service, where he continued some little time, then left him, and while he was out of place he took his wife down in a very grand manner, to see his friends at Hay, in Brecknockshire, telling them she was a captain's daughter, and that he had great expectations from her friends, who were people of figure and fortune.

After some little stay at Hay, they both set out for London, and from thence she went to her lodging as Hampstead, but he got into Mr. Coke's service in New Bond-street, and continued very fond of his wife, visiting her as often as he had an opportunity. While she lived at Hampstead and he at Mr. Coke's, she lay in with two children; which are since dead, and 'tis thought were poisoned.

About this time, by going with his master into Kent, he got intimately acquainted with one Mrs. S—w, and became passionately in love with her; she

gave him encouragement to pursue his addresses to her, but his wife and children were dreadful obstacles in the way to his happiness; then it was that he began to meditate the dire villainies he has been since guilty of; and had they not been brought to light, he would have been shortly married to this Mrs. S——w. This was the temptation to the murder of his wife, in whose punishment the justice of Divine Providence is very visible; for as she consented to her wretched husband's solicitations, and, to oblige him, had not only murdered two infants about a year and a quarter old, in full life, but had likewise destroyed another then unborn, so Providence suffered her husband, her adviser to her crimes, to be the instrument of its vengeance upon her, and she was permitted to fall by his hands, who urged her to her unnatural crimes; nor was suffered to rest after he had committed his part, and concluded the tragedy, but the hell in his bosom obliged him to discover himself, and surrender himself up into the hands of justice. But to go on with our account.

He having resolved to remove his wife infallibly out of the way, that she might be no bar to his fresh pursuit, an opportunity offered unexpectedly, which he resolved to make use of. His master, having on account of a hurt he received by a fall from his horse, left him at Canterbury, to come up by the hoy when he should be able, his wife happened to meet him at the hoy the morning he arrived; he thinking this a very proper opportunity to execute his barbarous design upon her, told her, as soon as he saw her, that he had got a nursery maid's place for her at Wandsworth or Putney, and she must go home and get a clean cap and apron, and must go with him that day to see the place. She went to her lodgings

lodgings to dress herself, and in the way home she called at his master's, and told the servants that her husband was arrived, and acquainted them with what had passed between him and her at their interview. His fellow servants advised her not to trust herself with him; but she told them she was not afraid of him, that he was in a good humour, and had given her his bread and cheese, which she then shewed to them.

Accordingly having borrowed a cap and apron, and other things of her landlady, she went to the place (the Woolpack, in Monkwell-street) where she was to wait for his coming to the end of the street; as soon as she saw him at the end of the street with the chaise she went to him, and he drove her away; as they went along, she desired him to stop for a half-penny worth of snuff, but he told her, She should never have any more.

When he got her to Hounslow-heath, on the first heath next Hounslow, he stopped the chaise, and having got every thing in readiness, as he said, he threw the lash of the whip over her head; in the hurry he drew it over her chin (the marks of which remained after she was dead (but loosening the wip, notwithstanding her struggling, and the resistance she made, he got it about her neck, and before he had drawn it tight, she cried out, My dear! My dear! For God's sake,——if this is your love I will never trust you more! But he soon put it out of her power to make any noise, by drawing the ends of the lash with both his hands.

While she was in the agonies of death, he relented, and loosened the whip; but before she recovered herself, it came into his mind, that as he had begun, he must go thro' the business, lest the attempt should provoke her to discover not only this fact, but the
 affair

affair of the children; upon which he fell to his devilish work again, and twisted the whip so violently round her neck, that he broke the handle in two pieces.

'Twas about ten o'clock when she was quite dead, and then he drew her out of the chaise, and stripped off her shoes, stockings, &c. When she was stark naked, he drew her to the place where the two men hang in chains, and there he gave her that large wound which the surgeons gave an account of on the trial; he likewise gave her several cuts over the eye-brows, and slit her nose that she might not be known, and that it might be imagined she was robbed, stripped and murdered by thieves. Her cloaths he bundled up and brought to London, and, to prevent any discovery by them, he cut them into small pieces, and dropped them bit by bit about the streets; but she having told him what things she had borrowed of Mrs. Barber, her landlady, he imagined he should be required to make satisfaction for them, if they were not returned, therefore he contrived to send home the hood and cloak, as the most valuable things, as Mr. Barber and his wife had informed the court in their evidence against him, and proved a step towards the discovery of this horrid fact. He was asked (after his condemnation) by a relation of his, whether his mind was not full of horror as he drove home in the dark, after he had thus murdered his wife, and left her behind him? He said, No, it was not; for he was born to do it, and could not help it, his heart being very hardened, both before and after the fact.

After he had returned the horse and chaise to the owners, he went home to his master's house, and was let in by his master's brother, between twelve and one o'clock; the reason he gave for his coming home so late, was, that the hoy was but just arrived;

and the next day after the enquiry was made after his wife, both in the house and by other people, so terrified him, that he ran away towards the evening, and went directly to Portsmouth, where he took up his quarters at an alehouse, and went by the name of Thomas Willis, intending to take shipping, and get out of the kingdom: but one night while he was drinking a pint of beer in a ground room by himself, he heard the crier proclaiming the advertisement in the street, (which had been sent down to the sea-port towns) forbidding all captains of ships, and owners of vessels, taking him on board, for that he was under a violent suspicion of being a murderer; he was in the utmost confusion and horror of mind. But, recollecting himself as well as he could, considered he must not stay in a public-house, nor yet dared he to venture out in the street, for, being a very remarkable person, he concluded he must be discovered.

In the agony of soul, he observed a back window in the room, which looked into the sea; this window he opened, and fell from thence into the water, making shift sometimes to swim and sometimes to wade till he came to a landing place without the city, where he came ashore.

In this condition he wandered all that night, and the next day, thinking to get into Oxfordshire, and towards the next evening he came to a farmer's house lonely situated, and enquired at the house if they wanted a servant? The farmer was not at home, but his wife told him, she thought he did not look like a country servant, or one that was fit for her husband's business. He told her he had lived well, but was now reduced; and should be glad to do any thing in an honest way to get bread. She told him she could not say any thing to it, he might stay if he thought proper till her husband came in, and then he would have

have his answer from him. When the farmer came home and heard what he had to say, he looked earnestly at him, (which put the wretch into a panic) and told him he wanted a second ploughman, but he was sure he would not do for him, he looked (he said) as if he wanted to be hid for debt, or something else. He owned he was under a cloud of misfortunes, and would gladly serve him. The farmer told him, no, he did not greatly like him, but as 'twas night, he might stay and lie with his servants till next morning. He was glad to have a house over his head, tho' but for one night, and thankfully accepted the offer; but when the servants (who lay in an out house) went to bed, they were afraid of him, and told him, if he lay at their farm that night, he should lie in a barn by himself in the straw; which he was accordingly obliged to do.

From this place he got to Oxford, and enquired for a service; the person that keeps the house, known by the sign of the Anchor at Folly-bridge, (Mr. Hooper) did what he could to get him a place. He offered his service to a gentleman (a physician) there, but the doctor insisted upon a character from his last master. Mr. Hooper asked him what was the reason he could not obtain a character from none of the places where he lived? He made many excuses, telling him some were dead, others he knew not where to find, and his last master was a foreigner, who was broke and run away. Mr. Hooper himself recommended him to the Doctor, and he was in hopes of getting into his service, but while this affair was depending, he happened to see an advertisement in a news paper, which frightened him again, and made him resolved to quit Oxford, which he did very suddenly, and made the best of his way to Berdardine, in Herefordshire, where he lay one night, then cross-

fed the river Wye, and went to his brother, who was an apprentice to a shoe-maker, at Winforton, about four miles from his father's house.

Here he staid but a very little while, and desired him to go with him to his father's at Hay, a market town in Brecknockshire. His brother got leave to accompany him to his father's; when they came to the house, the brother went in first, and burst out into tears, for George had told him as they came along, what a fact he had committed, and that he was forced to fly from one place to another to avoid falling into the hands of the pursuers. The poor old father having seen the advertisement in the papers, immediately apprehended something extraordinary had happened, and the first words he said were,—Lord—you have seen George! I hope he's not in the town! Yes, says his brother, he's just at the door, but he's afraid you might have some of the neighbours with you. There being none but their own family in the house, he was fetched in, and the minute he saw his father he fell down on his knees, and with a flood of tears begged his blessing. Ah George! (replied the father) I wish God may bless you, and that what I have heard concerning you may not be true! No, no, (said he) it is not,—it is not,—pray let me have a private room,—make no words, I have done no harm, let me have a room to myself!

As soon as he was put into a room he pulled out half a crown, and desired his brother John to get him a lancet with that money, John asked him what he intended to do with it, and persuaded him not to add sin to sin; telling him, he had done enough already, and that he would not be accessory to his farther guilt. Let me but have a lancet and I will put an end to ail; he was now satisfied, he said, and desired only to see his friends, and now would
make

make them all easy, for he would die with them. His father and brother persuaded him from his bloody purpose, and kept him hid five days. Then it began to be rumoured about the town, that George was harboured in the house, and the people were confirmed in their notion, by seeing smoak come from a chimney, where there never used to be a fire before.

The rumour prevailing, he began to think himself not safe, even in his father's house, and among his relations. His brother John persuaded him to go on board a ship from some sea port, and be gone, but it being windy weather, he was afraid to venture at sea.

At last he determined to get to Gloucester, which place he reached undiscovered, and staid a fortnight at an inn; during which time every body took notice of his labouring under some disorder of mind; the hostler asked him what was the occasion of it? He told him, and every one else, that he was in love with a young woman who was just married to another man, and his pretence went down pretty well. At the end of the fortnight he found that Mrs. M——n (with whom he had lived at Brecknock) had two sons at school at Gloucester: the lads having seen him, they made themselves known to him, and, in a letter to their mother, they informed her, that their man George was at Gloucester; she immediately wrote back to them, charging them to have nothing to say to him for he was a murderer. The boys whispered this about till it came to the ears of the hostler, that this was the man who killed his wife upon Hounslow-heath. The hostler, as soon as he heard it, told him, if he did not make the best of his way from thence, he would certainly be taken. I will not detect you, (says he) but I advise you to be gone immediately.

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The unhappy wretch now thought it in vain to think of refuge any where, he was tried of flying from place to place, nor had he any reason to believe he should be safer any where else, than he had been in the many places he had attempted to hide himself in; and being under strong persuasions that his crime was legible in his countenance, that the hand of divine justice was pursuing him, and that it would be in vain to resist it any farther, therefore he came from this place to London, and surrendered himself at his master's house, into the hands of justice, as the only means of putting an end to his constant terrifying apprehensions.

After his conviction he was asked, if he had any hand in the death of his children? His answer was, as God almighty is to be my judge, I know nothing but that they died a natural death; my wife sent me word they were restless and could not sleep, and I own I sent them some liquid Laudanum: if she gave them too much, I cannot help that.

The above prisoner died in his cell a few days before the time appointed for his execution.

The Trial of RICHARD TURPIN, the noted Highwayman; with a particular Account of many of his Exploits.

AT the assizes held at York-castle on the twenty-second of March, 1739, before Sir William Chapple, knight, one of the judges of the court of King's-bench, Richard Turpin was, on two indictments arraigned for horse-stealing, and on full evidence, to the satisfaction of the court was convicted: but before we enter on the trial, it will be necessary to inform our readers who the famous Turpin was, and how he came into that country.

Richard

Richard Turpin was the son of John Turpin, of Hampstead in Essex, who, to give him some education, put him to a writing school, and after being there some time, bound him apprentice to a butcher in Whitechapel, where he served his time. He was from his youth an irregular disorderly fellow.

As soon as he served out his time, he married a young woman, whose name was Palmer, and set up his trade in Essex; where, through his irregularities, he soon was necessitated to rob the neighbours of their cattle, sheep, &c. to maintain himself and family.

The first time he was detected was as follows; he had stole a couple of oxen from one Mr. Giles, of Plaistow, in Essex; had conveyed them to his own house, and cut them up for sale. Two of Mr. Giles's servants having some suspicion of him, partly by seeing the slaughtered oxen, and partly by information, made an enquiry where he had sold the hides, and soon found he generally disposed of them at Waltham-Abbey; where they had an opportunity of seeing the hides of the beasts.

Turpin having some scent that he was about to be apprehended, left these men in the fore-room, jumped out of the window and escaped, leaving his wife to sell the carcases.

His wife having furnished him with some money, he went in search of some smugglers, then lurking about the hundreds in Essex, and joined them, and had tolerable success for some time, but at last lost all he had acquired.

Not chusing to run any more such hazards, he went in search of other adventures; and soon meeting with a gang of deer stealers, who finding him to be a desperate fellow, and fit for their purpose, accepted him as an accomplice.

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On Turpin's joining this gang, they robbed at Epping Forest, and adjoining parks, by which means they got a great deal of money.

Here it was that Turpin got acquainted with Gregory, Fielder, Rose, and Wheeler (the three first of whom were hanged at Tyburn, and Wheeler was admitted an evidence against them) which were called the Essex gang.

They followed deer-stealing only, for some time, but not finding the money come in so quick as they wished for, and being narrowly watched by the park-keepers, they, by Turpin's direction, resolved to go round the country at nights, and when they could find a house that had any thing valuable in it, one was to knock at the door, which being opened, the rest should rush in and plunder it, not only of plate, &c. but household goods, if they should like it—They soon became a terror to the whole county of Essex.

The first person attacked in the last-mentioned manner by them, was one Mr. Strype, an old man that kept a chandler's shop at Watford; from him they took only the money he had by him; but Turpin informed his companions, he knew an old woman at Laughton, who he was certain had seven or eight hundred pounds by her. The plan was acknowledged to be good. Away they went; when they came to the door, Wheeler knocked, and Turpin and the rest of the gang rushed in. The first thing they did was to blind the old lady and her maid. Then Turpin examined the old lady about her money, and she declared she had none, being very loth to part with it. Some of the gang were for believing her, but Turpin said, "You old b—h, if you won't tell us, we will set your a—e on the grate;" She imagining it to be more threats than intention, suffered herself

to

to be so served, and endured it so long till the anguish she was in, forced her to discover, and they got upwards of 400l.

They then held a consultation who should be the next, and agreed on a farmer, near Ripple-side, where the people not coming to the door immediately on the knock, they broke it. Then, according to the old custom, they tied the old man, the old woman, the servant maid, and the farmer's son-in-law. They then ransacked the house, and robbed the old farmer of about 700l. Turpin finding the booty so considerable, cried out, "Ay! this will do, if it would be always so," their share being eighty pounds a man.

The success the gang met with made them resolve *nem. con.* to make those people suffer that had attempted to detect them. It was then agreed to attack the house of Mason, the keeper of Epping Forest. The time was fixed when the house was to be attacked; but Turpin having received a great deal of money for his share, could not refrain going to London to spend part of it; and, getting drunk, forgot the appointed time for putting their design in execution; however, the rest were resolved not to be baulked, and Fielder and Rose taking the command on them, they set out for Mason's, after having bound themselves by oath, not to leave one whole piece of goods in the house. Accordingly they went, broke open the door, beat poor Mason in a cruel manner, and killed him under the dresser. An old man sitting by the fire-side, who declared he knew nothing of them, got off untouched. Mason's daughter run out of the house naked, and hid herself in a hog-stie. After ransacking the lower part of the house, and doing much mischief, they proceeded up stairs, and broke every thing in their way; at last spying a punch-bowl, they

they broke that, and out dropped one hundred and twenty guineas, which they took and then made off.

Turpin, Fielder, Walker, and three others, came to the door of Mr. Saunders, a wealthy farmer, at Charlton in Kent, on the eleventh of January, 1735, about seven or eight o'clock in the evening, and knocking at the door, enquired if Mr. Saunders was at home; being answered, yes, they all rushed in, went to the parlour, where Mr. Saunders, his wife, and some friends were at cards; they desired them not to be frightened, for that they would not hurt their persons, if they sat still and made no disturbance. The first thing they laid hold of was a silver snuff-box, which was on the table before them; and having secured the rest of the company, they obliged Mr. Saunders to go about the house with them, and open his closets, boxes, and escrutores, from whence they took upwards of a hundred pounds in money, and all the plate in the house, &c.

While these things were transacting, the servant maid ran up stairs, barred the door, and called out thieves, to alarm the neighbourhood; but one of the gang broke open the door, brought her down stairs, and after having bound and secured the whole family, robbed the house of divers things of value. In searching the house they found some bottles of wine, a bottle of brandy, and some mince-pies. They all sat down and drank a bottle of wine, eat a mince-pie, and obliged the company to drink each of them a glass of brandy. Mrs. Saunders fainting away with the fright, they got her a glass of water, put some drops in it, and were very careful to recover her. After having stayed about two hours in the house, they packed up their booty, and marched off; first threatening them, that if they stirred within two hours, or advertised the marks on the plate, that they

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they would return and murder them. This robbery was concerted at the George at Woolwich; and after they had effected it, they crossed the water, and brought the goods to an empty house in Radcliffe highway, where they divided the plunder.

Turpin, Walker, Fielder, and two others, made an appointment, on the eighteenth of the same month, to rob Mr. Sheldon's house, near Croydon in Surry, and for that purpose met at the Half-moon tavern, Croydon, at six, and about seven went to Mr. Sheldon's. Walker having some knowledge of the house, undertook to conduct the whole. When they all entered the yard, they perceived a light in the stable, where going to it, they found the coachman dressing the horses. They immediately bound him, and in going out of the stable, met with Mr. Sheldon in the yard, whom they seized, and obliged him to shew them the way into the house, and took from him eleven guineas, jewels, plate, and other things of value, to a considerable amount: but, out of their great generosity, returned Mr. Sheldon two guineas of the money, asked pardon for what they had done, and bid him a very good night.

Turpin, Walker, Fielder, Rose and Wheeler set off about two o'clock in the afternoon, of the fourth of February, from the Black-horse in the Broad-way, Westminster, near which place some of the gang lodged, with a design to rob Mr. Lawrence at Edgeware, near Stanmore in Middlesex; they all met at the Nine-pin and Bowl, at Edgeware, about five o'clock. While they were there, Mr. Wood, who kept the house, had an opportunity of making a particular mark of their persons, by which he knew them when they were taken at King-street, Bloomsbury. A little after their arrival, they went to the Queen's head at Stanmore, and about seven they all

set off for Mr. Lawrence's, about a mile from thence: Mr. Lawrence had just been paying off some workmen, who were discharged and gone from the house. They all alighted at the outer gate; Fielder went before and met with a boy putting up sheep; the rest followed, seized the boy, threatened to shoot him, and presented a pistol, and that if he spoke a word they would kill him. They took off the boys garters, and tied his hands, and told him he must go to the door with them, and that if he did as they directed him, he should not be hurt. They told him he should not be hurt. They told him, that when they knocked, he was to answer, and bid them open the door, and he should have money. The poor boy, when he was brought to the door, was so terrified that he could not speak; whereupon Gregory knocked, and Mr. Lawrence's man servant, imagining it to be some of the neighbours, opened the door, upon which they all rushed in with pistols in their hands, saying, "D—n your blood, how long have you lived here?" They seized Mr. Lawrence and his man, and threw a cloth over their faces; then led the boy tied into a room, and made him sit down by the fire, and examined what fire arms were in the house, and on being told an old gun, they broke it in pieces; then bound Mr. Lawrence and his man, and made them sit down with the boy. Turpin cut down Mr. Lawrence's breeches, and took from him a guinea, a Johannes, fifteen shillings in silver, and his keys. They not being satisfied with such a trifling sum, forced Mr. Lawrence up stairs, when coming to a closet, though they had taken the key from him before, yet they broke open the door, and took thereout two guineas, ten shillings, a silver cup, thirteen silver spoons, two gold rings, and all they could find: and opened some bottles of elder wine, and made the servants drink twice of it.

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One Dorothy Street, a maid servant, being in another part of the house, churning, and by the uncommon noise she heard, suspected there were rogues in the house, and to prevent her being found out, she blew out the candle; but in the course of the search, she was found. They tied her hands and brought her to the place where the other servants were, and then took all the linen in the house of all sorts. They imagining more money was in the house, threatened to cut Mr. Lawrence's throat, and Rose put a knife to it, to make him confess. One of them took a chopping bill, and threatened to cut off his leg: then they broke his head with their pistols, and dragged him about by the hair of the head. Another of them took a kettle of water off the fire and threw it on him, but it luckily happened not to be warm. They all swore they would rip him up, and burn him alive, if he did not discovery where his money was. Gregory took the maid up into a garret, threw her on a bed, and he swore he would shoot her if she offered to cry out, and lay with her by force: in further search, they found in a box belonging to Mr. Lawrence's son, who was not at home, twenty-pounds, and all his linen. When they left the house they swore they would rob Mr. Lawrence's other son's house, and return in half an hour, and if any of them at their return were set at liberty, they would kill them; so locked them all in the parlour, took the key of the door and threw it into the garden. Some of these goods were afterwards found in Duck-lane, and others in Thieving-lane, where Rose and Walker were taken.

This bold and daring way of robbing the neighbourhood, induced his majesty to promise a pardon to any one of the criminals who had been concerned
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in entering the house of Mr. Lawrence, &c. and as a further encouragement, a reward of fifty pounds for the apprehension of any of them, to be paid on the conviction.

This advertisement in the gazette made no impression on the hearts of these fellows, who, flushed with success, had no notion of being taken: for on the seventh of February, Turpin, Fielder, Rose, Walker, Bush, and Gregory, meeting at the Whitebear inn in Drury-lane, agreed to rob one Mr. Francis, a farmer, near Mary-le-bone, that same evening; and accordingly went to his house, where, finding a servant in the cow house, they soon tied him fast, and threatened to shoot him if he made the least noise. They led him into the stable, where another of Mr. Francis's men was quickly served in the same manner: just as they finished with him, Mr. Francis, who had been abroad, came in; they put their pistols to his breast, and swore if he made the least resistance or disturbance, he was a dead man; then leading him to the stable, bound him with the other two, and left them to the care of Turpin and Bush, who stood over them with loaded pistols, whilst the other five robbed the house. On their getting into the house, they tied Mrs. Francis, her daughter, and the maid servant, and cruelly beat them for being affrighted. Gregory was set as a watch over them, while the other four rifled the house. In it they found, besides other things, a silver tankard, a gold watch, chain and seal, a silver picture of Charles the first, washed with gold, a gold ring set with diamonds, a gold ring set with stones, and four diamonds, two gold rings with posies, a piece of gold with a hole in it, thirty-seven guineas, and ten pounds in silver, which they took away with them, as also shirts, stockings, and divers other sorts of goods. They

They spent about an hour and an half in rifling the house, while Gregory, at one place, and Turpin and Bush at another, stood centry. When all the plunder was packed up, they, as usual, threatened to murder any of them that made the least noise, and then got off.

The whole country was now in arms, as no man's property was safe. Mr. Thompson, one of the king's park-keepers, having got a promise from the Duke of Newcastle's office for payment of one hundred pounds to any person that apprehended any of them; which coming to the ears of the gang, they were more shy: however, intelligence was brought to some of the keepers and others, that they were all regaling themselves at an ale-house, in an alley, at Westminster; they pursued them thither, and bursting open the door, found Turpin, Fielder, Rose, and Wheeler, with two women. Turpin made his escape out of a window, but the rest were taken. Wheeler was admitted an evidence, and Fielder and Rose were hanged in chains.

Turpin having lost all his companions, made a firm resolution to have no accomplices for the future; so he set off for Cambridge, as he was not known in that country.

In his way thither he met a man genteely dressed, and well mounted. He thought this a favourable opportunity of filling his pockets, and accordingly bade him stand, and deliver his money. Who should this be but a noted highwayman, one King. Turpin not liking so much talk as the other entered into, swore he would blow his brains out if he did not deliver his money immediately: on which King fell a laughing, and said, "What! dog, eat dog! come, come, brother Turpin, if you don't know me, I know you, and should be glad of your company

pany." On mutual assurances, and faithful promises of fidelity, that nothing but death should ever part them, they entered into partnership, and robbed together for near three years.

Their persons and names becoming well known by every person in that country, and as no house would entertain them, they formed a design of making a cave, and at last fixed on a place between King's Oak Road, and Loughton Road. They made a place large enough to receive them, and their horses, in a place enclosed with brambles, and thorn bushes, and artfully contrived it, so that they could see every person that travelled the road, but they were hid from the eye of the world. So many were robbed about these parts, that the very pedlars carried arms with them. While this cave was their retreat, Turpin's wife supplied them with victuals, and often staid there all night.

They went to Bungay in Suffolk, and having seen two young women receive fourteen pounds for corn, Turpin swore he would rob them. King attempted to dissuade him from it, saying they were pretty girls and he would not be concerned: but Turpin was resolved to do it, and did, though against King's consent, which occasioned a dispute between them.

When they were returned to the cave, they robbed one Mr. Bradele of London, who was taking an airing with his children in his chariot. King attacked him, but Mr. Bradele being a gentleman of spirit, was offering to make resistance, seeing only one; but King called to Turpin by the name of Jack, and ordered him to hold the horses heads. The gentleman readily parted with his money, but refused giving up his watch, till the child in a fright desired her father to deliver it. Mr. Bradele had an old mourning ring on his finger, which King insisted

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on having, though he was told it was not worth eighteen pence ; but Mr. Bradele prized it much : however, King would have it, and had ; but returned it again immediately, saying, they were more of gentlemen, than to deprive him of any thing he valued so much. Mr. Bradele then asked him for the watch, as he set a great value on it, and that he would purchase it : “ What say ye, Jack, says King ; here seems to be a good honest fellow ; shall we let him have the watch ? Do as you will, says Turpin : why then, says King, you must pay six guineas for it, we never sell for more, if it be worth six and thirty.” Mr. Bradele then promised not to discover them, and said he would leave the money at the Dial in Birchin-lane. Says, Turpin, “ Ay, but King, insist on no questions asked.”

Soon after this Turpin shot a servant of Mr. Thomson, in the following manner : many people induced by the reward offered for the apprehending of him, were resolved to take him by some means or other. Among the number, Mr. Thompson’s servant was one ; and he set out with a higgler with that intent. They came near him, and Turpin not having the least suspicion of them, took them for poachers, and told them there were no hares near that thicket. “ No,” says the fellow, “ but I have got a Turpin,” and presenting his piece to him, commanded him to surrender ; Turpin stood talking with him, and by degrees retreated to his cave, took up a carbine, and shot him dead, and the higgler precipitately made off.

The account soon spreading round the neighbourhood, Turpin thought it high time to decamp, and go further into the country in search of King, and sent a letter to his wife to meet him at a public-house at Hertford, who went with two of Mr. H—’s

servants : after she had waited for him half an hour, he came, and asked for her by a fictitious name concerted between them, and found she was there : he passed through the kitchen to her, and unluckily met with a butcher to whom he owed five pounds, The butcher taking him aside, said, " Come, Dick, I know you have money now, if you will pay me it will be of great service." Says Turpin, my wife is in the next room, she has got money, and you shall be paid directly. The butcher dropped a hint to two or three of his acquaintances then present, that it was Turpin, and that after he had received his five pounds, they should take him : but Turpin, not chusing to trust himself with any of them, made through a window, without calling on his wife, took horse, and made the best of his way off.

He then went in search of King, whom he found in company with one Potter, a man that had lately joined them. They all agreed to set off as soon as it was dark for London, and coming over the Forest, his horse began to tire within three hundred yards of the Green-man. One Mr. Major, the owner of the famous race horse, Whitestockings, riding by, Turpin resolved to rob him; he took away his whip, and thinking Mr. Major's a better horse than his, made him dismount, and exchange; after having changed saddles, he rode off for London. When Mr. Major got to the Green-man he acquainted Mr. Boyes of it, who said, " I dare swear it is Turpin has done it, or one of his crew; and I'll endeavour to get intelligence of your horse; this they have left you is stolen, and I would have you advertise it." Mr. Major did so, and the horse was proved to be stolen from Plaistow-marshes, and the saddle he had kept was stolen from one Arrowsmith,

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This robbery was committed on a Saturday night, and Mr. Boyes received intelligence on the Monday morning, that such a horse as Mr. Major had lost was left at the Red-lion in Whitechapel; he went there and found it to be true; and he resolved to wait till somebody came to fetch it: about eleven o'clock that night, King's brother came for the horse, on which they seized him directly, and took him into the house. He said he bought it, and could bring proof of it: but Mr. Boyes examining the whip, found the button half broke off, and the name Major on it, which seemed a confirmation that they were right: they charged a constable with him, but he seemed frightened, and they suspecting the horse was for some one else, told him if he would divulge the truth he should be released. He then said that there was a lusty man, in a white duffil coat, waiting for it in Red-lion-street. Mr. Boyes immediately went out, and seeing him, knew it to be King; and coming round upon him attacked him. King drew a pistol, and clapping it to Mr. Boyes's breast, snapped it, but it flashed in the pan: he then struggled to get out his other, but it had twisted in his pocket and he could not. Turpin, who was near by waiting for King, rode up, and hearing a skirmish, called out to King: says King, "Dick, shoot him, or we are taken by G—d;" and Turpin instantaneously fired his pistol, missed Mr. Boyes, and shot King, who cried out, "Dick you have killed me;" Turpin hearing this, rode off as hard as the horse could lay legs to the ground. King being shot fell down, but lived a week afterwards. He was often taxing Turpin for a coward, saying to Mr. Boyes, that if he had a mind to take him, he knew he might be then found at a noted house by Hackney-marsh, but advised him to be cautious how he went

to work, Turpin having three brace of pistols about him, and a carbine slung. On enquiry, it was found that Turpin actually did go directly to the house mentioned by King, and made use of the following expression to the man : " What shall I do ? Where shall I go ? D—n that Dick Boyes, I will be the death of him, for I have lost the best fellow-man I ever had in my life ; I shot poor King in endeavouring to kill that dog."

Turpin kept about the Forest for some time till he was harrassed almost to death ; for he had lost his safe retreat ever since he shot Mr. Thompson's servant.

When his cave was examined they found two shirts, two pair of stockings, part of a bottle of wine and some ham : so that being drove from hence, he was obliged to sculk about the woods, and was once very near being taken by a huntsman belonging to Mr. Ives, who went in search of him with blood-hounds : Turpin perceiving them, got into a tree ; the hounds, passing underneath it, put him in a great fright, but escaping the danger, he, to prevent any more risques, fixed a resolution of going into Yorkshire.

He first went to Long-Sutton in Lincolnshire, where he resided some time, and having stolen many horses in that neighbourhood, was at last apprehended for that crime and sheep stealing, but as a constable was conducting him to a justice of the peace, he escaped from him, and made the best of his way to Brough, near Machet-Cave in Yorkshire ; from thence he went to North-Cave, and from thence to Welton.

He frequently used to go into Lincolnshire under a pretence of seeing his friends ; but always brought back

back with him three or four horses, which he sold or exchanged for others in Yorkshire.

While Turpin lived in Lincolnshire and Yorkshire, he took upon himself the name of Palmer, which was his wife's maiden-name.

He was frequently out a hunting and shooting : on his return from shooting in the beginning of October 1738, seeing one of his landlord's cocks in the street he wantonly shot at it, and killed it ; which one Hall, a neighbour of his, taking notice of, said, " You have done wrong in shooting your landlord's cock." Palmer replied, " If he would stay while he charged his piece he would shoot him too." On which Hall acquainted his landlord with the whole that was done and said. The landlord with Hall immediately went to justice Crowley and obtained a warrant for apprehending Palmer ; the next day he was taken into custody and carried before the bench of justices then sitting at their quarter sessions at Beverley, and examined, who demanded securities for his good behaviour ; but he refusing to find any, they committed him to Bridewell.

The justices having received information that Palmer frequently went into Lincolnshire, and that on his return he had plenty of money, and several horses, which he either sold or exchanged in Yorkshire ; therefore they suspected him to be an highwayman and horse-stealer : the justices went to Palmer (Turpin) the next day, and demanded of him who he was, where he had lived, or what was his employment ? To which he answered, " That about two years ago he had lived at Long-Sutton in Lincolnshire, and was by trade a butcher ; that his father then lived at Long-Sutton, and his sister kept his father's house there ; but he having contracted a great many debts, for sheep that proved rotten, so
that

that he was not able to pay them, he was therefore obliged to abscond, and come to live in Yorkshire."

This confession of Turpin's no being to the satisfaction of the justices, they thought it proper to examine into the truth of it, and accordingly ordered Mr. Appleton, clerk of the peace, to write a letter to Long-Sutton and there to relate the whole affair; this letter was sent by a special messenger, who gave it to Mr. Delamere a justice of the peace, who lived at that place. The answer returned by Mr. Delamere was as follows :

"That the said John Palmer had lived there about three quarters of a year, and was accused before him of sheep-stealing; whereupon he issued out his warrant against him, who was thereupon apprehended, but made his escape from the constables; and soon after his escape, Mr. Delamere had several informations lodged before him against the said Palmer for horse-stealing: and that Palmer's father did not live at Long-Sutton, neither did he know where he lived, therefore desired Palmer might be secured, and he would make further enquiry about the horses so stolen, and bind over some persons to prosecute at the next assizes."

On the receipt of this letter, Mr. Appleton immediately wrote to Mr. Crowley, who came the next morning to Beverley, and understanding what a villain Palmer was, he did not think it safe to keep him any longer in the house of correction; therefore he was again applied to for securities, but he not being able to find any, the justice committed him to York Castle, where he was sent on the 16th of October, 1738, hand-cuffed and guarded by John Milner and George Smith.

When Palmer had been there about a month, two persons from Lincolnshire came and claimed a mare
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and a foal, which Palmer had sold to captain Dawson, and also the horse which Palmer rode on when he came to Beverley, he having stolen it off Hitchington-Fen in Lincolnshire.

After he had been about four months a prisoner in York Castle, he was discovered to be Turpin the famous Essex robber.

At his trial, Mr. James Smith, and Mr. Edward Seward, two people sent down to York by the justices of the county of Essex, were called on to give evidence, and they deposed as follows :

Mr. James Smith being sworn, deposed, that he had known the prisoner at the bar ever since he was a child ; that his name was Richard Turpin, and that he was born at Hampstead in Essex ; that he knew his father and all his relations, and that he married one of his (this deponent's) father's maids ; that it was about five years since he saw him last : that he taught him to write for about three quarters of a year : that the occasion of his (this deponent's) coming to York assizes was this : happening to be at the Post-Office, he saw a letter directed to Turpin's brother-in-law, who, as it was said, would not open the letter and pay postage ; and on that account taking particular notice thereof, he thought at first he remembered the superscription, and concluded it to be the hand-writing of the prisoner Turpin ; whereupon he carried the letter before a magistrate, who broke it open ; the letter was subscribed John Palmer, and found it sent from York Castle. This deponent knew his hand, and having seen several of Turpin's bills ; a letter being produced in court, he was asked whether it was Turpin's letter ? he answered, Yes, and that this was the cause of his coming down, and the reason of his taking notice of it was, his seeing the York stamp on the letter. That on his coming

coming to York Castle, on the first view of him he pointed him out from all the rest of the prisoners. And further he knew him when he worked with his father who was a butcher, which trade, he, the son, afterwards set up at Booker's-hill in Essex, left it about six years since, and then kept a public-house: but what became of him afterwards he knew not, only the last time he saw him, which was about five years ago, he sold him (the prisoner) a grey mare; and knew him to be the very Richard Turpin, the son of John Turpin, of the town of Hampstead.

Mr. Saward, the other person that came from Essex, being asked by the court what he knew concerning the prisoner, deposed as follows:

I have known the prisoner about twenty-two years, he was born at the Bell, his father kept a public house. I knew him after he was set up, and have bought many a joint of meat of him. I saw him frequently at Hampstead, and was with him often at his house there, and after he left it he came backwards and forwards. The last time I saw him was about five or six years ago; and I know the prisoner at the bar to be Dick Turpin, the son of John Turpin, who keeps the Bell at Hampstead. When I spoke to him in the Castle I knew him again, and he confessed he knew me, and said to me two or three times, "Let us bung our eyes in drink," and I drank with him.

Turpin denied that he knew Mr. Saward, but seemed to own at last that he had some knowledge of Mr. Smith.

His behaviour being somewhat extraordinary while a prisoner in York Castle, it will not, we presume be disagreeable to our readers to offer them the following:

Whether

Whether it was that this hardened wretch had worked himself into a persuasion that there was no God to take cognizance of his actions; that there are no rewards or punishments hereafter; or that his conscience, by a long course of vicious practices, was so callous and stupified, that it was impossible for the precepts of religion, and the consideration of a future state, to make any impression upon him; yet certain it is, that Turpin was one of the most notorious offenders this age has produced: and after sentence of death was passed upon him, was as jovial, merry and frolicksome, as if he had been perfectly at liberty, and assured of an hundred years to come; and went off the stage of life with as much intrepidity and unconcern as though he had been taking horse to go a journey.

When Turpin was first committed to York Castle, he lived in as much pleasure as the liberties of the prison would afford; eating, drinking, and carousing with any body that would spend their time with him. Nor did he alter his behaviour after his condemnation: for after it was spread abroad, that he was the famous Turpin, who had rendered himself so notorious for his robberies in the southern parts of England, an amazing number of people came to see him. However, it was, notwithstanding, much disputed, whether this was the real Turpin or not; and a young gentleman who pretended to know him, went one day to see him, and having viewed him attentively, he told the keeper, he would lay him a wager of half a guinea, that this was not Turpin; which Turpin hearing, whispered the keeper in the ear, "Lay him the wager, and I'll go your halves."

He continued his mirthful humour to the last, spending his time in joking, drinking and telling stories. He seemed to pay but little regard to the

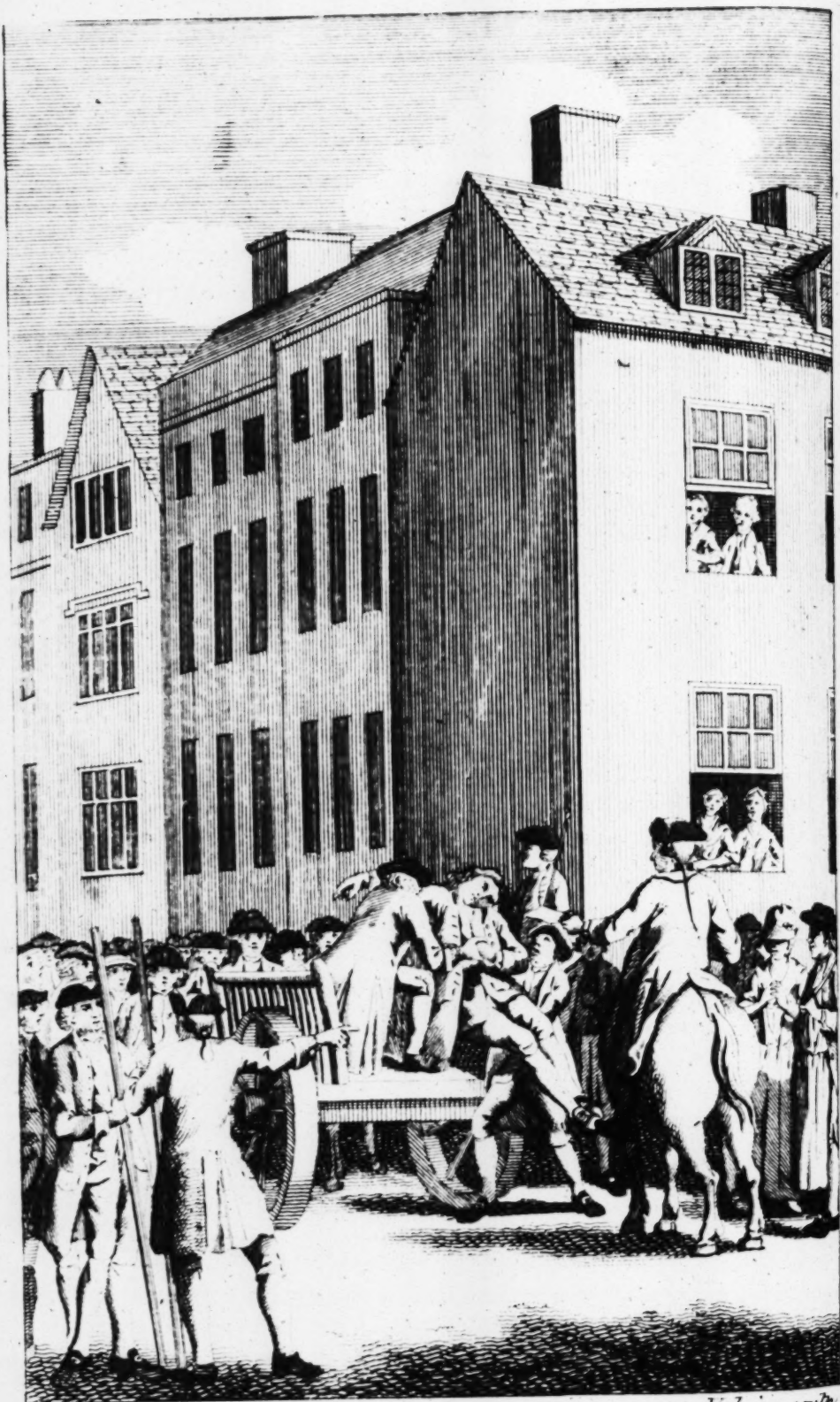
serious remonstrances and admonitions of the reverend clergymen who attended him; and whatever remorse he had upon his conscience for his past villainies, he kept it to himself, not expressing the least concern at the melancholy circumstances he was in.

A few days before his execution, he bought himself a new fustian frock and a pair of pumps, in order to take his leave of the world in as decent a manner as he possibly could.

The morning before Turpin's execution he gave three pounds ten shillings among five men, who were to follow the cart as mourners, with hat-bands and gloves to several persons more. He also left a gold ring, and two pair of shoes and clogs to a married woman at Brough, that he was acquainted with; though he at the same time acknowledged he had a wife and child of his own.

He was carried in a cart to the place of execution, on Saturday, April 7, 1739, with John Stead, condemned also for horse-stealing; he behaved himself with amazing assurance, and bowed to the spectators as he passed. It was remarkable, that as he mounted the ladder, his right leg trembled, on which he stamped it down with an air, and with undaunted courage, looking round about him; and after speaking near half an hour to the topsman, threw himself off the ladder, and expired directly.

His corpse was brought back from the gallows about three in the afternoon, and lodged at the Blue-boar, at Castle-gate, till ten the next morning, when it was buried in a neat coffin in St. George's Church-yard, within Fishergate Postern, with this inscription, I. R. 1739, R. T. aged 28. He confessed to the hangman that he was thirty-three years of age. The grave was dug very deep, and the persons whom he appointed his mourners, as above mentioned,



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*A criminal brought for a Criminal on the road to
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tioned, took all possible care to secure the body ; notwithstanding which, on Tuesday morning, about three o'clock, some persons were discovered to be moving of the body, which they had taken up, and the mob having got scent where it was carried to, and suspecting it was to be anatomized, went to a garden in which it was to be deposited, and brought away the body through the streets of the city in a sort of triumph, almost naked, being only laid on a board covered with some straw, and carried on four mens shoulders, and buried in the same grave, having first filled the coffin with unslacked lime.

MARY YOUNG, *alias* JENNY DIVER, and ELIZABETH DAVIS, *alias* CATHERINE HUGGINGS, for Robbery, January 17, 1741.

MARY YOUNG, *alias* Jenny Diver, and Elizabeth Davis, *alias* Catherine, the wife of Henry Huggins, were indicted for assaultring Judith Gardner, on the king's highway, putting her in fear, and taking from her twelve shillings in money, the the money of the said Judith, in the parish of St. Mary, Woolchurch, January the 17th.

Judith Gardner. Last Saturday night, between six and seven o'clock, I was coming out of Sherbone-lane, and had thirteen shillings and a half-penny in my pocket ; the last house I came from was the Black Bull ale-house. There were some boards laid over a wet place at the corner of the Mansion-house, and a man laid hold of my arm, and said he would help me over the boards ; I said, if I wanted any assistance, I could give the man a half-penny. Notwithstanding that, he held up my arm a great height, so that he numbed my fingers that I had no use of them.

them. While he was doing this, the prisoner, Young, came before me, and immediately I felt her hand in my pocket; upon that I put my hand into my pocket, and seized her by the wrist; her hand was clenched in the bottom of my pocket: upon my doing this, she with her other hand struck me a great blow on the side of the face, so that I was obliged to quit her hand which was in my pocket, else I should not have lost my money: I then took fast hold of her cloak, and never left her till I got assistance to take her from me. The man immediately quitted me, run away; I cried out, For God's sake stop that man, for he has held me, while the woman, has robbed me. A coal-heaver happening to come by, laid hold of him by the collar, and that other woman, Davis, went up to the man, and helped to get him away; she said she knew him, for he was a very good house-keeper, and lived the other side of Moor-Fields;—she did not molest me, but endeavoured to get the man away from my friend, and, on his escaping, she was secured. I am sure the prisoner, Young, is the person whose hand I took in my pocket, for it was just under the first lamp by the Mansion-house, as you go from hence. When she pulled her hand out of my pocket, it was clenched, and I lost out of the thirteen shilling and a half penny, two half-crowns and seven shillings, —I am sure I had it in my pocket when the prisoner came up to me. I can't say how near Davis was to me, but she helped to pull the man from the coal-heaver, and Young dragged me till she came up to them.

Prisoner. Did you see any money in either of our hands?

Gardner. No, but Young had her hand clenched in my pocket, and I said, Hussey, you have got my money;

money ; upon which she struck me such a blow, that I was obliged to quit her hand ; I should not have lost my money, if I could have kept her hand.

The prisoner, Young, offered me, at the butcher's shop in Bearbinder-lane, a guinea and a gold ring, if I would put up with this, and let her go ; she offered to leave it with Mrs. Jefferies, the mistress of the shop : I had her near an hour in custody before I could get an officer. The other woman, Davis, on the man's escaping, was secured by the coal-heaver. I found Young's hand in my pocket, but she gave me the blow before she left my pocket.

Prisoner. Was you in fear ?

Gardner. Yes, to be sure I was ; I was in danger of my life ; the man kept me close up to the boards, and the woman came before me immediately.

Young. How long was it between your losing the money, and your laying hold of me ?

Gardner. I never left her, till Mr. Day, the green grocer, came to my assistance.

Young. Where did you lay hold of me ?

Gardner. Just at the corner of Walbrook ;—I had not set my foot on the planks, but I was as near to them as could be.

Davis. How far from Stock's-market was it, that you laid hold of me ?

Gardner. I never laid hold of you, but I saw you pull the man away : Mr. Day laid hold of the woman in the red cloak (Young) and the mob helped to bring the other into Bearbinder-lane.

Prisoner. Was you in any fear when your money was taken away ?

Gardner. Yes, I was afraid I should get a mischief by them ; I was afraid of my life. I had her hand in my pocket some time after the man left me, and the moment I cried out, he ran away. It was my
right

right arm which the man held, and my pocket I commonly wear under my gown, on the right side, so I clapped my left hand, which was at liberty, under my apron, into my pocket, in this manner [here the witness shewed the manner in which she seized Young's hand in her pocket] and seized her hand clenched in the bottom of my pocket: the man, when he took hold of me, said, I will help you over child, for if you should slip into the water, you will be worse off: immediately Young's hand was in my pocket, and I said, this woman has got all that I have in the world: I quitted her hand in my pocket, to get hold of her cloak, and to prevent her doing me further mischief.

Samuel How. Last Saturday night I was going to see my sister and her child home, and just as we came to the Mansion-house, the poor woman cried out, Lord, I am ruined! I am ruined! I left my sister and laid hold of the man, and this woman said, this man has ruined me: I held him about a minute and a half, and these two women (the prisoners) came to me, and got hold of me:—those are the women at the bar, I will take my affidavit of it, they were both upon me at once, and if it had not been for them, I should have held him. I saw them both near the prosecutrix, before she cried out.

Davis. How far was it from the place where the man got away, to the place that he laid hold of me?

How. While the man and I were struggling, and they were upon me, away run the man; I pursued him, and they ran after me, and then I laid hold of that woman in the white cloak (Davis) but she had a red cloak on then;—I would not tell a lie if I knew it.

Mr. Day. I was sitting in my back room, and a great many people were running by to Bearbinder-lane, and just against the butcher's shop, this man had

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hold of the woman with the white cloak, Davis. The prosecutrix said, that woman, Young, had picked her pocket of twelve shillings, she had not a hat on then, but one under her cloak. I was resolved to see the upshot of this, so I held her, and desired Mr. Jefferies to get an officer, but he could not; however, at last I got one, who took the prisoners into custody.

Young. Was the man at the butcher's shop by?

Day. Yes; the woman said, that is the woman that picked my pocket, and I said I would not let you go till it was set to rights: you took a black hat out of your cloak, and put it on.

Mary How. My brother was going home with me and my child, and just at the end of the pales in Stock's-market, I heard the woman cry out, The man had held her, while the woman robbed her; my brother then laid hold of the man's collar, and the two prisoners flew at him, with both their hands in his face; I heard them say the man was a good house-keeper, and they knew him well. I laid hold of Davis's cloak, and she desired me not to use her ill. The woman that cried out was by the two prisoners, but I really can't say whether she had hold of Young's cloak.

C. Was the woman that complained she was robbed, following the man?

Mrs. How. Yes, directly down the lane, they all went down by the side of the boards together. I put my child into the china shop, and followed them.

The jury found both the prisoners guilty. *Death.*

The following is a particular Account of the Transactions of the Life of Mary Young, alias Jenny Diver, &c. &c. &c.

AS I am in a few days to suffer what I most justly deserve, and am to give an account to the righteous

teous judge of all things, for my past wicked transactions, I thought it a duty incumbent on me, as I could no other way make restitution, to publish an account of my past mispent miserable life; I know in doing this, I shall give much offence to those who have been partners in my crimes, and partakers of ill-got goods; but let them consider e'er 'tis too late, that the course they are now pursuing will one day or other bring them into my sad fate! I know, If it was possible to speak with the tongue of men and angels, without they beg of God, and have a sincere desire to reform, my unhappy exit, as that of many others before me, will be rather an encouragement to pursue their wicked practices, than work in them a desire of reforming, as I must confess with all the agonies of horror, remorse and anguish of mind, it was formerly with me! but oh! if they felt the racks and tortures I now do! how would they wish! what would they give! had they reformed by timely advice. I do sincerely hope that my untimely exit may be a warning to all unhappy persons, and that they would take example by me, and shun the fatal rock on which I split; I hope those I have any ways offended or injured, will forgive my transactions, for which I am very sorry and repent of, as the following account contains a sincere and faithful narrative of my facts, and the various methods taken in the performance of them; I hope, as I have made a true discovery, that my companions will forgive me for so doing; and I beg that God would grant them his grace, and enable them for the future to take some honest, though ever so mean an employ. The hopes of which has engaged me to say thus much.

Mary Young, alias Murphew, alias Webb, alias Jenny Diver, whose true name was Mary Young, was so great a proficient in her heart, that she got

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the name amongst her companions of Jenny Diver, alias Diving Jenny, from her great dexterity in picking pockets; she followed this profession between 14 and 15 years; was born in the North of Ireland, but was entirely ignorant of her family. When she was about ten years of age, she was put to school by an old woman whom she used to call by the name of Nurse, who bestowed some small matter of learning upon her, as reading, writing, and plain work, which latter she was dextrous at, being reckoned an extraordinary workwoman with her needle. When she was about fifteen years of age, having an itching desire to see London, and quarrelling with the old woman who kept her, she made an agreement with the captain, who was to sail in three days: now her next scheme was, how to leave the old woman, and to get her cloaths handsomely away, and money to bear her expences in her passage, and when she came England, to live on, till she could get into some business, for as yet she had not imbibed any principle to wrong or defraud any body, as she herself confessed.

There was a young fellow who paid his addresses to her in the quality of a suitor for the space of a month; now this person being very solicitous to persuade her to become his wife, she told him there was but one way to make them both happy, and that was to go to England, telling him the old woman, her nurse, would never consent for her to marry him, and if he really loved her, as he pretended, he would soon comply with her request; the young fellow, being overjoyed at this proposal, promised her he would; when she had so done, she told him how she had already made an agreement with the captain, who was to sail in about three days, and directed him where he lived, desiring him to get things in

readiness by that time ; he promised her he would, and accordingly took his leave : as soon as the appointed time came, the morning when they were to sail, the young fellow, who was a servant to a gentleman of fortune, and being willing to bring his new bride a handsome sum to support expences, robbed his master of upwards of eighty pounds, and his gold watch ; and both getting a-board, she for fear of her nurse, and he for fear of being discovered, the ship hoisted sail, and arrived two days after at the town of Liverpool, in Lancashire.

As soon as they came on shore, Jenny being sea-sick, her spark proposed to stay two or three days, in order to refresh themselves before they proceeded for London ; so he, for fear of being known, got a lodging at a private house in that town. Now the day being come in which they intended to depart, he packed up her cloaths and his own, and put them in the hands of the waggoner, in order to be carried to London, proposing themselves to follow, and so walk easy days journeys, till they should get safe to town. As soon as they had so done, they went to a public-house, in order to get some refreshment before they set out ; and as soon as they came in, who should be there but a person who was sent in quest of him by his master ; the young spark was extremely surprized, and would have retreated faster than he came in, but it was too late, for the person seized him, and told him he was his prisoner, and immediately upon this hurried him with a great mob before the mayor. As soon as they came there, Jenny following him at some distance, for in the hurry and confusion nobody took notice of her, she heard him confess the robbery of his master, but he never mentioned one syllable about her ; now just before this accident, he had given her ten guineas, in order to

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put it in a little purse which she had; the rest of the money and the watch being found on him, he was committed to prison; as soon as Jenny heard this, she went aside to a public house, and wrote him a letter, expressing a great concern for this misfortune, and promised to return his things that were packed up for London, and likewise the money which she had of him when it was in her power; so done she made the best of her way to town, never, as she confessed, being the least dismayed at this accident. After the hurry was a little over, she was as good as her word; for as soon as she arrived at London, she sent his things, and sometime after that his money. He was cast (which was after she had been in London some time) for his life, but was transported afterwards.

As soon as she arrived at London, she got acquainted with one J. M——y, who was her country-woman, who took a lodging for her near Long-Acre, where she proposed to take in plain-work; but business not coming in according to expectation, M——y takes her aside one day, and thus expostulates the case with her; says she, Jenny, trading being dead, suppose we were to take a new method of life, which at present you are a stranger to, but what I am acquainted with: Jenny being mighty desirous to know what it was; why, replied the other, if you will go along with me this evening, you shall be instructed in this new art; but I must first swear you to secrecy, for fear, if you should not like it, you should discover; upon which Jenny promised she would obey her directions in all particulars, and swearing secrecy, she was admitted into the society that evening, which consisted of four persons, two men and a woman, with herself; their business that evening was to go upon cheving the froe, that is

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cutting

off women's pockets; in order to do this, they attended the theatres after the play was over; she was appointed, as being a young novice in the art, to stand Miss Slang, all upon the safe, that is, to stand safe at a distance, as if not one of the gang, in order to receive the things stolen. They got that night two diamond girdle buckles, and a gold watch, which they fenced at a lock for seventy pounds, now Jenny had but ten pounds for her share, because she did the least execution, and was in least danger.

Jenny finding money coming in pretty fast this way, applied her time very diligently in this new study; and in order that she might be well versed in this new employ, and learn the cant language, one of her companions used to come every day to instruct her in the theory of her new calling, as well as the practical part; in order to which, she used to set aside two hours every day, for this purpose, and soon became a good scholar, and well versed in the afore-said tongue; Jenny's master coming often to instruct his new pupil, they contracted such a respect for each other, that they agreed to live together.

By this time Jenny was grown a compleat artist, and got great reputation among her companions. One day when they were out together upon business, at a noted meeting-house in the Old-Jewry, where abundance of people were crouding, in order to get in, Jenny being very genteely dressed, she observed a gentleman who was a very rum muns, that is, a great beau, who had a very glim star, that is, a ring, upon his feme, that is hand, which she longed to make, so giving the hint to her companions to bulk the muns forward, that is, push, they pushed him quite in: whereupon, the meeting being pretty full, as soon as he was in, Jenny held up her hand to the young

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spark, that he might help her forward, which she perceiving, very complaisantly gave her his hand, in order to assist her, which she readily accepting of, she griped his hand very fast, and while she had hold of his hand, the people who were on the outside striving for entrance, and Jenny's companions pushing forward, in the scuffle she squeezed his hand so hard that he was glad to get it away, and did not perceive her to take off his diamond ring, which as soon as she had effected, she slipped behind her companions, saying at the same time, it is in vain to get in, I'll come another time, when there is less crow'd; her companions conveyed her clean off, before the gentleman had time to miss his ring, who called out to stop the woman, but it was too late, for she had brushed off with the booty; this gained her great applause amongst her companions, who now appointed her an equal share of every thing they got.

The next exploit that Jenny went on was, flanging the gentry most rumly with a sham kitchin, that is, cutting well the woman big with child, which was thus performed: Jenny had got two false arms made, and hands, by an ingenious artist, and dressing herself very genteely, like a citizen's wife big with child, with a pillow artfully fixed under her coats for that purpose, and her arms fixed on, she, by the contrivance of the pillow, hid her real ones under her petticoat, and the artificial ones came across her belly; dressed in this condition with one of the gang in the habit of a footman, she takes a chair and goes (it being Sunday evening) to the meeting-house already mentioned; now it was so contrived by the rest of the gang, that one should go before as a scout, bring word to the supposed footman, in what part of the meeting to set the rummeff froes; and likewise to saweer clearly, that is, to keep a
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good look out, that they should have vid loges, repeating watches, by their sides, that Jenny's footman might place his mistress accordingly. Now it was so ordered, that our big bellied lady was placed in a pew between two elderly ladies, who had both repeating watches by their sides; she sat very quietly all the time of the service, but at the conclusion of the last prayer, the audience being standing, she took both the ladies watches off, unperceived by them, and tipped them to one of her companions, who was ready planted for that purpose, and who went and tipped them to slang upon the safe; and then went back to be ready for business. Now the congregation breaking up, every body was in a hurry to get out, and the gang surrounded the ladies in order to make a greater crowd, and help Jenny off if she should be smoaked.

The two ladies had no sooner got out of the pew to the door, but they missed their watches, and made a terrible outcry, which alarmed that part of the audience, who, enquiring what was the matter, were answered, that the ladies had lost their watches; and being asked again who took them, answered, nobody, without the d——l and the big bellied woman had, who was now got far enough off. Nay, says one of the ladies, that is impossible, for she never moved her hands off her lap, all the time of the service. This accidentally gathered a great mob round the ladies, some enquiring, others confounded at the strangeness of the robbery: in the mean while Jenny was slipped out to a house hard by, and had altered her dress, and delivered herself of her great belly, and returned with the utmost precipitation to her companions, in order to be assisting in the helping off with more moveables, who were very busy with the rest of the crowd, and while they were astonished at the

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the accident, they took opportunity to make the gentlemens loges and tales, or mens repeating watches, and to cheve the froes of their bungs, or cut off the womens pockets.

They were very successful that day, for no sooner were they got to the bidding, or place where they divide the booty, but they examined the contents of their booties, which were three bungs, with lowers, purses, in each lower, there were ten ridges, or guineas, and two vid loges. These, with the money they had got, and two tales, or swords, amounted to thirty ridges a-piece, after they had fenced the loges, &c. which were all carried abroad, and disposed of by Mr. R—— J——n, since dead.

After this robbery, the gang consulted together, and thought it proper not to steer that way for some time, for fear of being discovered. Jenny got so great a name by this last affair, that they all swore to act for the future according to her directions in every thing; which she thanked them for, and then made the following speech:

“ It is now two years since I entered into this honourable society, and I think it is a duty incumbent upon me, to advise for our general preservation, that the following articles ought to be made for the use of our gang.

“ I. That no one else be admitted without the consent of the whole gang.

“ II. That no one presume to go upon any thing by him or herself, upon pain of being entirely turned off, and left to shift.

“ III. That if any new member be proposed by any of the gang, that he or she shall be a month upon trial, and all that time shall be instructed at convenient seasons in the cant tongue, so that they may speak intellibly to nobody but the gang.

“ IV. That

“ IV. That if any of the gang should happen to be taken upon any one action, that the rest shall stand by him or her, and swear any thing in order to get such released : and if convicted, a sufficient allowance to be given him or her in prison out of the common stock, that they may live in a gentleman or gentlewoman-like manner.”

These articles were agreed to and signed by them all.

Their next adventure was in St. James's-park upon a fine day, when abundance of people of fashion were walking in that place, Jenny being well dressed, and her sham great belly, with one of the gang in the habit of a servant attending her, they took the opportunity, coming out at Spring-garden gate, when a great concourse of people were crowding, for the sham lady to make a false step and stumble; presently abundance of good-natured gentlemen and ladies, seeing a big-bellied woman ready to fall, was very busy striving who should first lend their assistance, notwithstanding which, the lady fairly contrived to fall down, and when they went to help her up, she made signs, and gave them to understand, that she had so hurt herself by the fright, that she could not presently recover so as to be able to stand upon her legs; by this time more people came up to see what was the matter, and she had so ordered it as to fall just in the middle of the passage; and while the crowd was gazing on, and commiserating the case of the poor supposed distressed lady, the rest of the gang were very busy in speaking with their pockets, diamond girdle buckles, &c. They managed their business so dexterously, that they got by this adventure, two diamond girdle buckles, a gold watch, a gold snuff-box, and two purses, which contained upwards of twenty guineas.—The next day the buckles, watch, &c. were advertised, and a large

large reward offered for them, which M——y proposed to restore for the reward, when Jenny started up, and asked, who would venture home with them? I, says M——y. Would you? Do you not consider the consequence of returning them? Why, replied the other, there is no questions to be asked. What then, replied Jenny, suppose there is not, apprehend you no further consequence than that? No, replied the other. Why then, resumed Jenny, my reason is this, suppose you go home with them, and get the reward that is offered, here lies the case, the parties injured will, though they ask you no questions, take particular notice of your person, and some time or other, when you are upon business, may be smacked, and then perhaps all may be blown; so my advice is, that whatever things may be got, though we can fence them but for two thirds of the value offered, yet it is much the safer way, and less dangerous. This reason the gang applauded much, and presently consented to send them to their usual fence, who was one that used to trip over to Holland very often upon the smuggling business, and who gave most money for goods got in that manner, and the gang, for the future, very seldom made restitution, but generally dealt with this fence.

Some small time after this last adventure, two of the gang fell sick, and were rendered incapable of turning out upon business for some time; now Jenny and her quondam spouse were obliged to turn out by themselves upon the slang mort lay lay, described in the following adventures.

Jenny being dressed as a big-bellied woman already mentioned, and her spouse, as a footman, in livery, used to take the opportunity of the master of the house's absence in a genteel street, when the lady's pretended footman knocking at the door, asked if

the lady of the house was at home, and being answered yes, used to say, my lady here is taken very ill, and desires to speak with your mistress; and so, when she had introduced herself and servant, they were not idle upon the occasion, but generally made what they could that lay in the way. One day Jenny and her servant being upon business of this nature in Burr-street, near Wapping, Jenny's servant knocked at the door, and a person coming and enquiring his business, my lady, says he, there pointing to Jenny, is a little out of order, and being some distance from home, desires to speak with your mistress; the servant desired the lady to walk in, and said, she would fetch her mistress presently, who was above stairs.

So directly in goes Jenny grunting and groaning as if she was half dead. Down comes the mistress, and sends the maid in a hurry up stairs for the chamber-pot, while she went to fetch the smelling-bottle. While they were gone, Jenny took the opportunity of opening the drawer, and taking out a fine dressed suit, worth sixty guineas, which she presently put in a place made on purpose on the inside of her large hoop, and was got sitting in her chair by the time the lady returned, in a very moving, melancholy posture, pretending to be almost dead. As soon as the lady came, and her servant with the pot, the pretended footman was ordered into the kitchen, who had till then attended his mistress, but, out of decency, was desired to walk down till his mistress wanted him; while he was in the kitchen, he took the opportunity to convey half a dozen silver spoons, a salt, and a pepper-box into his pocket; and as the lady and her maid above stairs were very busy in applying her smelling-bottle to madam's nose, she took the opportunity to convey the lady's purse out of her pocket: when she had so done, pretending to

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be a little better, and asked the lady's pardon for the extraordinary trouble she had given her, desired her man might be called to get a coach, which he did in a trice, and ordered the coachman to drive to Mr. — naming an eminent merchant near Tower-street, at the same time taking leave of the lady, and inviting her to the aforesaid merchant's; but as soon as the coachman had drove out of sight, he was ordered to stop, and Madam Jenny pretending she could not ride easy in a coach; here, John, says she, give the coachman a shilling, and let him go about his business. As soon as this was done, John and his mistress retreated another way, and went clean off with the booty. Two or three facts of this nature put a stop to their farther proceedings; the circumstances which attended the committing of it being put into the public papers, so that they thought it safest to desist from any more tricks of this nature.

Some days after Jenny's companions recovering they pursued their old adventures with great success: for in less than three years they acquired above three hundred pounds a-piece, besides expences, by these illegal practices.

About this time the gang agreed to go into the country upon business there; so they took a progress down to Bristol, in the time of the fair, kept there in the summer season. Here they thought in necessary to admit a new member, whom they found at that place, who was esteemed a good hand upon The Twang Adam Cove, that is, could draw him in by a fine tongue, or way of talking those, whom they had a design to impose upon; him they admitted, after reading the before-mentioned articles, and swearing him to secrecy; here it was thought proper to metamorphose one of them into the habit of a servant in livery. The two women passed for merchants

wives in London, and who had come down to see the fair, and the two men for persons who came down as dealers, and in order that they might more safely accomplish their intended designs, they lodged at separate places; their reason for so doing was, that if any of the gang were detected, the others might appear for their characters, as acquaintance accidentally meeting there: they had their lessons so perfect, that each knew one another's meaning almost by a nod.

One day, the whole gang being in the fair, they espied a west country clothier, who had just received a parcel of money, to the amount of an hundred pounds, which he had given to a servant, and ordered him to carry it to his lodgings, and lock it up in his bureau, and likewise gave him a key, and bid him return in about an hour to the sign of the Fountain, a tavern in High-street. The whole gang upon this follows the fellow, and jostles him in the croud, but he was so careful of his bag, that they could not get it from him by this means; so they were obliged to have recourse to the following stratagem:

One of the gang steps after him out of the fair, and giving him a tap on the shoulder, friend, says he, did not you part from your master just now, and did not he order you to go home with a bag of money? Yea, replied the countryman, and what then? Oh! says he, your master has altered his mind, and is upon the point of agreement for some goods with my mistress, and desires you will bring it, in order to pay for them, at the ———, naming a house where Jenny and the rest of the gang were gone to. Oh! moighte weell moighte weell, says the poor credulous fellow I'll go wi' you; so cheek by jole they go along together.

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In the mean time J——, who was dressed as the supposed lady's servant, amused the countryman with what a handsome rich lady his mistress was, and how gloriously he lived with her, and how free she always used him.

By this time they drew towards the house where the rest of the gang were waiting. When they came there, Jenny's supposed servant introduced the countryman (who artfully, as they passed along, got his master's name unknown to the poor ignorant fellow.) When they entered the room, Who is this honest man? says Jenny. Oh! madam, it is Mr. S——'s servant, come according to his master's orders. Oh! honest friend says she, sit down, your master is just gone a little way, and will return presently, but you must stay till he comes back: Yea, yea, madam, says the countryman, I shall wait on your ladyship. Come, honest friend, says she, will you drink a glass of wine? No, ife thank you, madam. Come, come, don't be bashful, you shall drink, so pouring out a glass of wine, he drank it off; come, now you must drink another towards your master's health. S'blided, madam, says the countryman, ife drink that, thof 'twas a whole mile to the bottom; so, taking the glass in his hand drank it off; now, says Jenny you must drink my health; the countryman with the two first glasses being pretty much spirited, chattered, Ads wounds, madam, that ife do thof 'twas as deep as the sea, ; and I codd—and so off it goes; well done, honest friend, says Jenny.

Now, every glass the poor countryman drank, was mixed with a certain quantity of laudanum.

As soon as she had done this, here John, says she, take this honest fellow, and treat him handsomely till his master comes, and then I'll send for him in again; so the poor countryman making twenty awkward

ward scringes and scrapes, goes out, and was conveyed to a more close room, convenient for the purpose, along with his new acquaintance.

When they had been there about half an hour, and drank three or four more glasses of wine, the countryman began to yawn, and in some small time fell fast asleep. As soon as he perceived this, the signal was given, and the gang came in, and took the poor fellow's bag of money, paid the reckoning, and ordered the servant not to disturb the poor man, who was weary, but let him have his nap out. They went away, and going separately to their lodgings, they got their things in readiness, and then made the best of their way for London, leaving the poor country fellow to curse his new acquaintance.

They made so many things at this fair, that when they came to town, and fenced them, they shared 50l. a-piece, besides expences.

By these means the gang supported themselves in the most splendid manner, sometimes living very profusely, like people of quality; only they kept up what they termed a common stock, to support themselves in case of any disaster, which was thus raised. When any booty was got and sold, a tenth part was put by, to relieve the gang in time of need, and the remaining part was equally divided amongst them.

The usual places of Jenny and the gang's resort in London, when there was no extraordinary crowd in other places, was the Change, the Bridge, &c. One day, being upon business at the last-mentioned place, about five o'clock in the evening, the gang espied a lady very well dressed, on foot, walking over, and when she had got about half way a sudden hurry of carts and coaches coming over at the same instant, she stood up at a door in order to avoid them. One

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of the gang, being genteely dressed, steps up at the same time, and says, Have a care, madam; and so standing before her, catches hold of both her arms, that she should not be at liberty to tout the rest, and them up: in the mean time Jenny, and the rest of the gang, were very busy with her, and they were so dexterous, that before the coaches got by, they made her pocket, and walked off with it. As soon as the hurry was over, the lady dropped the supposed gentleman a fine curtesy, and humbly thanked him for his great care, and so took her leave, little dreaming of her loss; for they found in the pocket upwards of thirty guineas, a gold snuff-box, worth six guineas, and a case of silver instruments.

The next day, being upon business, the corner of Change-alley, they got a pocket-book, in which was two hundred pounds of bank notes, which they sold to their old friend J——n, for a hundred and thirty pounds ready cash.

Jenny now took genteel lodgings not far from Covent-garden, and, living in a very gay manner, kept a servant to wait on her, and her supposed spouse. They lodged in this place, that they might be the readier to attend the theatre, and convey their booties the soonest off.

One night, when his majesty was at the play-house, the gang dressed Jenny very gay, like a person of quality, and going in her chair with her footman before her, she got a place in the middle of the front boxes; but having no opportunity of doing any thing while the play was performing, she came out before the entertainment was over, handed by a young beau, whom she had picked up. She founding him, found him a country young gentleman lately come from York.

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The spark being very much enamoured with his new mistress, desired the honour of conducting her home to her lodgings. Laird, Sir, says she, that's impossible, for I am married and if I should let a strange gentleman wait upon me home, what do you think my spouse would say? Then, madam, quoth the youngster, permit me the pleasure of waiting on you to drink a glass of wine. Sir, says she, it is what I don't care to do, but added with a sigh, if I thought you was a man of honour, I durst venture to drink a glass of wine, for sure there is no harm in that; but I am told, there is so few men of honour, it is hard trusting. Madam, replied the enamoured spark eagerly, I would sooner kill myself than hurt your reputation. With this last expression Jenny seemed to be overcome, and went with the spark to the Rose, the corner of the theatre; and calling for a room, he said a hundred fine things to his new acquaintance. After Jenny had drank a glass, and sat a quarter of an hour, she seemed uneasy, and wanted to be gone; our spark used many intreaties for her stay, but in vain, for she positively insisted upon going (for as yet she had not given the gang necessary directions upon this new affair, so to be sure she could not stay) then the young spark insisted upon going with her, but she begged he would not trouble himself; yet with much entreaty on his side, this last request was, with some seeming difficulty, granted.

Then he called the drawer, and ordered a hackney coach to be got ready, and handed the lady in with much complaisance. Jenny ordered the coachman to drive slowly to her lodgings, naming the place where she lived, and as they were going home, he pressed her hard for the seeing her again. She told him, she expected her husband would be out of town
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in two or three days, and in that time he might call upon her. By this time the coach came to the door, so Jenny requesting the favour, that the spark would sit still till she got out, and get himself out at some other place for fear of her husband, she would be glad to see him in two or three days, and in that time prepare for his reception.

The young gallant, so overjoyed, took his leave; so Jenny got out of the coach, and going up stairs, found the gang come there before, for it seems the signal was for her to stay till the play was done, and she coming out before, they had missed her. As soon as she entered the room, they began to upbraid her for being out of the way, for it seems by wanting her, they lost their right hand, for they made but one gold snuff box that night; but she soon pacified them by telling them her adventure, and what she intended to do.

The evening being come in which Jenny's spark was to appear, he came dressed very gay, with a gold watch in his pocket, a gold hilted sword by his side, a diamond ring upon his finger, and a gold headed cane dangling in his hand.

Jenny, being ready to receive him, had dressed up two of the gang in rich liveries, and M——y as her waiting-woman very gay, and the lodgings being very genteel, all things seemed to look very grand.

The young spark seeing this grandeur, seemed quite amazed, and to be sure thought her some person of quality, as he afterwards privately told her; by and by up comes a bottle of wine and some rich sweatmeats; then the footman was ordered to withdraw. Now, Sir, says Jenny, you must think I have a great respect for you, to be so free with you in this manner; I hope you are a gentleman of more honour than to tattle of a lady's favours. The

young gentleman replied, he would sooner cut his tongue out : after some small discourse, Jenny gave him to understand, that she did not expect her husband till very late that evening, so the spark begged hard, that during that time, she would make him happy in her arms. In short, she so contrived matters, that she made him believe none of the servants knew any thing of the affair of his stay, except her faithful chamber-maid and confidant ; so conducting him into her bed-chamber, the young spark being eager to enjoy his mistress, soon slipped off his cloaths and got into bed ; she pulled hers off more slowly, pretending to be very bashful, upon which he jumped out of bed in order to assist her ; as she was unbuckling her shoes, she pretending to be modest, caught hold of his hand, and seeming to admire his ring, took it off his finger, and put it upon hers : as soon as she had got into bed, the signal was given from the supposed maid, who knocked at the door, and told her that her master was come : Jenny immediately jumped out of bed, Lord ! says she, what shall I do, I am inevitably ruined ! Madam, says her lover what shall I do ? Oh ! Sir, says she, I have hit it, get into bed, and cover yourself all over head and ears, and I'll take your cloaths and hide them, least perchance he should take it into his head to come into this room, and in the mean time I'll go and persuade him that I am not well, and perhaps I can make him lie by himself to night, which if I do, then I can have the pleasure of being with you this evening.

The spark did immediately as he was ordered, and Jenny slipped on her night-gown, &c. and went out of the room, and locked the door after her : when she came into the place where the rest of the gang were, they held a consultation ; the result of which was, immediately to quit the lodgings, and leave

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leave poor Pill garlic in the lurch, which was immediately put in execution, and the poor unfortunate enamoretto left locked up by himself, who no doubt cursed his new acquaintance, which, for the future, 'tis thought, gave him a caution how he entered into intrigues of this nature; they examined the contents of this booty, which amounted when the moveables were fenced, to two hundred and fifty pounds. Now Jenny had the greatest share of this booty, because she did the most execution; her share coming to upwards of seventy pounds.

After this robbery, the gang retired into the country, where they carried on their adventures very successfully for the space of half a year, then came to town, where she had not been long, before she was taken up for shop-lifting, and was convicted for transportation.

She lay in Newgate almost four months, and then was transported. During the time of her confinement she turned fence, and bought such things as came in her way, she having a quantity of money by her, and knowing this business could no ways effect her, she being cast already; and when she went away, she had as many goods, of one sort or other, as would almost have loaded a waggon. When she came on board, she was treated in a quite different manner from the rest of the transports, and was put ashore at the first port they came to in Virginia. Jenny staid no longer there than to see the country, for business in her way could not be transacted there; so, after she had diverted herself as long as she thought proper, she agreed with a gentleman for her passage, who was bound for England, who brought her over.

When she came back, she did not chuse immediately to come to town, but went and took a progress round the countries; and after she had sufficiently

tired herself, and the country people with her exploits, she came to London, where she, with some others, used to resort about London-bridge, the Royal-exchange, the play-houses, and St. Paul's.

In April 1728, in the Mayoralty of Sir John Barnard, she was tried by the name of Jane Web, for picking the pocket of Mrs. Rowley, who had been at St. Paul's, to hear the rehearsal: one Mr. Addy, who detected her, was offered 50l. not to appear against her on her trial; but he, like an honest man, refused it. At the very time Mr. Addy seized her for picking the pocket of Mrs. Rowley, she was going to pick the pocket of Dr. Best's lady. Another person, who appeared against her on her trial, said, he saw her pick twenty pockets that day, and had known her to have been a pick-pocket these five years; she was found guilty, and ordered for transportation, and accordingly was transported, but returning again, and followed her old practices, till she was detected for robbing Mrs. Gardner, near the Mansion-house, on the 17th of January last, for which robbery she was capitally convicted, and suffered.

All the while she was under sentence of death, she never omitted coming to chapel, behaving herself very devout, and seeming very penitent for her past wicked life. The day before she died, she sent for the nurse that nursed her child, (who lives in Little-Britain) which is about three years of age, and begged that she would now and then see it, and telling her the child would be taken care of, desiring her to give it good advice, and instil good notions into it, when she became capable to receive her admonitions, which the nurse faithfully promised to perform while she lived; on which Jenny replied, I don't doubt of your love for my poor child, and so
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God bless and protect you ; pray for my poor soul while I am living, for I have greatly offended my good God.

The morning she went to execution, she seemed very composed ; but when the officer came to halter her in the press-yard, she was very much shocked. She was conveyed to the place of execution in a mourning coach, attended by the reverend Mr. Broughton, who went and prayed by her in the cart. After some time allowed her for her devotions, she went off the stage, crying to God to have mercy upon her, Christ have mercy upon me, Lord receive my spirit, sweet Jesus receive my spirit, &c. After she had hung the usual time, she was cut down, and conveyed to Pancras, in order to be interred in the churchyard.

She was executed at Tyburn, on Wednesday, March 18, 1740-41:

JAMES HALL, *for Murder, June 18, 1741.*

JAMES HALL, of St. Clements Danes, was indicted for the murder of John Penny, gent. his master.

The prisoner pleaded guilty of the indictment, and received sentence of *Death* accordingly.

The Ordinary's Account.

JAMES HALL had been a servant to John Penny, Esq; principal of Clement's Inn, upwards of seven years, when he committed this horrid fact. His master, being a single gentleman, lived in his chambers in Clement's Inn, and had nobody with him but Hall, to whom he had ever been a kind master,

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He pretended not to be so vicious as many such unfortunate creatures are, though he certainly had great failings, and had been much given to women. Owing some small debts, not exceeding (as he said) five or six pounds, and having some other little incumbrances, he knew not easily how to get from, the devil put it into his head to murder his kind master. For this hellish purpose, he provided a big stick or club, which he hid for several days under his master's head. He had taken this damnable resolution a long time, before he could find an opportunity to put it into execution, and followed him several times to do it, though his heart failed him; but at last the devil's power prevailed, and he perpetrated this dreadful scene of villainy and barbarity.

James Hall and John Stevens, alias Henry Cooke, (tried and convicted the same sessions) being on the master's side of Newgate, and knowing how desperate their cases were, meditated an escape, and, by the assistance of a country butcher at Hadley, who brought them pistols and a hanger, they were in hopes to effect it: but being discovered by a fellow prisoner, Mr. Akerman, with Jonathan the turnkey, about twelve at night, rushed in upon them, took two pistols from Cooke, and confined them more close in one of the cells; and next day the butcher coming again with more tools, was taken, and put into the Condemned Hold.

Hall, after this attempt, finding no possibility of escaping, confessed the whole of this shocking scene on Sunday, August 23, to a friend, and on the Tuesday following related the same to the relations of the deceased, and confessed that the murder and robbery was entirely his own contrivance, and that his wife was wholly innocent, though she had been taken up on suspicion, a woman sworn that she saw her go out
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of the inn the next morning, with bloody linen in her apron, which proved to be a little inconsistent, as it afterwards appeared, by Hall confessing that he himself threw them into the bog-house in a particular place, where they were found; however, she was before that confession, admitted to bail on five hundred pounds security.

Some further Particulars relating to James Hall, together with the Circumstances that attended the Commission of this most barbarous Fact, and the Motives that induced him thereto.

SOME days before this trial came on, he being conscious of his own guilt, and labouring under the horror of an awakened conscience, sent for one Mr. Hawkins, of Queenhith, a very honest man, who had taken some pains to bring Hall to a confession, and desired him to come on Sunday the twenty-third of August, which he did, when Hall confessed to him the horrid murder, with all its barbarous circumstances, but particularly desired him that he would not tell it to any one till he saw him again: and accordingly the Tuesday following, Aug. 25. Mr. Hawkins went to him, when he desired Mr. Hawkins would acquaint the dean of Litchfield, and Mr. Wotton, nephew of the deceased, with it, which accordingly Mr. Hawkins did, and they all three went, with another gentleman, to Hall in Newgate, when he confirmed what Mr. Hawkins had told them, which was as follows:

I had a design to murder my master for about a month or more before I did it; and having kept pretty much company of late, and spent what I had, and being in debt, I was resolved to stay no longer; accordingly, June the seventeenth, having drank myself

myself to a proper pitch, I determined to put my design in execution.

That night my master came home between eleven and twelve, and I pulled off his shoes and stockings, and he pulled off his breeches in the dining-room, and was walking to his bed-side, with his under stockings on, when I came behind him in his bed chamber, it being soon after twelve, and with a large oaken stick, which I had kept under his bed for some time for that purpose, and which I had bought with design to murder him with, I knocked him down at one blow: and I am sure he never knew who struck him, or was sensible of any pain; after this I gave him two or three blows on the head, and believe he was quite dead, for he neither sighed nor groaned: this stick I had in my hand eight or ten times before, with a design to murder him, but my heart always failed me till then.

It is impossible to describe the horror and confusion I was in at what I had done; and I would have given a thousand worlds if I had had them, that I had not done so cruel an act, and I hated myself for the barbarity of the action, and yet the power of the devil was so great, that he prompted me to cut his throat, which I had no occasion to do, for he certainly was dead, or dying, when I began.

In order to do this, I went into the dining-room, and stripped myself stark naked, that no blood might appear on any of my cloaths or linen, and then took a little black handled knife, with which my master used to cut fruit and cheese, and cut his throat, from whence issued such a vast quantity of blood, that filled almost five chamber pots, which I mingled with a little clean water, to make it pass through the sink at the door, the more easily; three of which pots thus mixed, I flung down the sink, and two into the coal-hole.

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Then I tied his black waistcoat, which he wore that day, about his neck, which being lined with duffel, I thought would the more easily suck in the blood from his throat. As soon as this was done, naked as I was, I slung him a-cross my shoulder, and run with him to the bog-house, and threw him in head foremost about one, or soon after in the morning, at the large hole, where they empty close-stools.

The horror and fear I was in was so great, that I rather flew than ran, never felt the ground under me. As I returned from the bog-house, my fears and apprehensions were such, that the inn appeared as if all in a flame of fire.

When I came back to the chambers, I took my master's coat, bloody shirt, the stick I knocked him down with, and some rags I had made use of in wiping up the blood, and ran a second time naked down to the bog-house with them, and threw them into the second seat of the necessary-house, on the left hand, opposite to where I had thrown the body down, and where I believe the relations found them: after this I opened the writing-desk, escrutore, &c. and took about thirty-six guineas from out of my master's pocket and the writing-desk, which I put into my master's green purse which I found in his breeches pocket; I also took several useless things, as wax, franks, &c. which, with the purse, I carried to Mr. Knight's the taylor, on the eighteenth, who, upon my commitment to Newgate, delivered them to Colonel Deveil. My master's two mourning rings I had taken from his fingers before I carried his body out of the chambers, and which Mr. Wotton has found where I directed him. I was under such confusion, whilst searching the chambers, that I scarce looked over half the drawers or places, or scarce knew what I took.

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After this, I was all the remaining part of the night washing and rubbing the rooms with cloths, but found the blood very difficult to get out, which made me wet them again, and light the fire in the morning to dry them, and then I went to fetch Mrs. Laws, the laundress, to wash them over again, telling her my master had bled over night at the nose, and smeared them.

All that day I went from place to place, but could not find no rest, or be easy, the horrid murder of my master, still running in my mind : but though I had done so foul a crime, all my thoughts were taken up how to conceal it : and the body being in so secret a place, I thought would not be found. Whereupon I went on Friday morning, June 19, to Mr. Wotton, my master's nephew, to enquire after my master, and to tell him he lay out all night, and that he went out the day before by water, and said he would return at night, but never did, and that I was afraid my master had come to some harm, though I never told him my master had bled at the nose over night, and blooded the rooms, as I did the laundress ; for he asked me so many questions, and was so particular in enquiring after his uncle, that it gave me great uneasiness, and terrified me ; afterwards I went generally twice every day to Mr. Wotton, to know where to go to enquire after my master, &c. though every time I went, I was under great anxiety and disquietude ; and in this dismal state I continued, being all the while terribly afraid of lying, or even being alone, in the chambers.

On the Sunday after the murder, I was so afraid, that I had my wife to lay with me in my master's bed, and all night long I could not sleep for dread and horror ; and a few night after I had her to lie at chambers with me, and frequently asked Mr.

Wotton

Mr. Wotton to send somebody to lay at chambers, for I did not care to be alone.

On Monday, June 19, Mr. Wotton took me up, and when before the justice, I stiffly denied it, as I did likewise the next day, even after the body was found, though I was all over in a sweat the instant I heard the body was taken up.

After I was in Newgate, hearing Mr. Wotton had found blood on the wainscot, on the pictures, on the boxes under the bed, and other parts of the room, greatly alarmed me, for I, in my confusion had overlooked it, and never saw it, though I continued so long in the chambers, for I had not resolution to look about the bed-chamber; and likewise hearing Mr. Wotton had, besides the parcel found at the taylor's, such strong evidence against me, I grew greatly afraid, and thought I should be convicted; on this I readily came into a proposal made to me of an escape, which miscarrying, and I being detected, threw me into a flood of tears, for then I knew all hopes were lost.

Soon after I was put into the cells, and there, being so much alone, I began more seriously to reflect on my unhappy case; and that by my denial of the fact, I might bring an innocent wife into the wretched place where I was, (for she was then at large on five hundred pounds bail) which might kill her and my child, though I did not doubt of her acquittal.

On these considerations, as well as to ease my own conscience, I determined to make an ample confession, which I had frequently a desire to do, but when just ready to confess, I flew back, and remained inflexible; but now resolved upon it, I sent to Mr. Hawkins, formerly my fellow-servant, to whom I related the whole of this barbarous murder, and desired him to acquaint Dr. Penny, the dean of Litch-

field, and Mr. Wotton with it, which he did, and they, and he, came to me in the press-yard, to whom I confirmed what I had confessed to Mr. Hawkins; and accordingly, as I told them I would, I pleaded guilty to all the indictments the first day of the sessions.

This confession gave great ease to my tortured soul, and made my mind much quieter.

N. B. The above account of the barbarous murder of my late worthy master Mr. Penny, which I now deliver to Mr. Applebee, is just after the very manner that I committed that cruel and most barbarous of facts.—The Lord have mercy on my soul!

Sept, 12, 1741.

Saturday, 7 o'clock.

JAMES HALL.

He was executed at the end of Catherine-street, in the Strand, on Monday, Sept. 14, 1741.

The Trial of CAPTAIN GOODERE, for the Murder of SIR JOHN DINELY GOODERE, Bart. his Brother.

AT the sessions held before the worshipful the mayor of the city of Bristol, and Michael Foster, Esq; recorder, and other of his majesty's justices of the peace for the said city, March 26, 1741, Samuel Goodere, late commander of his majesty's ship Ruby, was indicted for aiding, assisting and abetting, the murder of Sir John Dinely Goodere, baronet.

At the same time, Matthew Mahony, and Charles White, were separately indicted for the actual murder of the said Sir John Dinely Goodere, bart.

Mr. Smith, an attorney at law, in College-green, Bristol, deposed, that the Sunday before this murder

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was committed, the deceased, by the deponent's invitation, was to dine at his house the Saturday following, of which the prisoner being apprised came into the neighbourhood, and sent for this deponent, and earnestly interceded with him to admit him into the company of his brother, the baronet, under the pretence, as the prisoner said, to accommodate and reconcile their differences in an amicable manner.

The prisoner being at College-green coffee-house, Mr. Smith went to him, and was greatly pleased with the proposal of the prisoner, and the hopes of all disputes between them settled, he, without the least hesitation, introduced the prisoner into the company of his brother, the deceased; and the prisoner behaved so well, that he and the deceased seemed as good friends as ever; and just as the deceased was about to depart, he took leave of the baronet in the most affectionate manner imaginable. It was then dark, and about six o'clock in the evening.

Mr. Roberts who kept the White-heart on College-green, opposite to Mr. Smith's house, deposed, that the prisoner came to his house early in the morning, the day before the murder was committed, and ordered him to get a dinner ready for six men, who were to dine there that day.

Mahony was not one of the six that dined, but the company talked much about one Mahony; he was a man well known to Roberts, and had been often at his house: the people that dined there were dressed like seamen, and Roberts took them for Captain Goodere's men, and that the captain had a mind to treat them at his house. They dined in the balcony up one pair of stairs towards the Green, and in the afternoon, after dinner was over, Goodere sent word to Roberts to make tea for the six men, which greatly surprised him, it being very uncommon for jack tars,
They

They all went away of a sudden, and Roberts bid them welcome without going out of doors.

Charles Bryant being called upon by the court deposed, that he was one of the six men hired by Captain Goodere, to seize the deceased and forcibly to run him a-board the Ruby man of war, then lying in King-road. They met by the prisoner's directions, at the White-hart, on College-green, where a handsome dinner was provided. They were placed in the balcony to receive a signal, and obey the word of command without giving the least suspicion to the people of the house. About six o'clock in the evening the signal was given, and they left the White-hart, and overtook the deceased just before he came to College-green coffee-house, where Bryant, and others, seized him at the word of command of the prisoner. They then rushed on the deceased, and dragged him along towards the Rope-walk, where was a gang of twelve more of them, who were ready to assist according to the prisoner's instructions. The deceased was hurried towards the Hot-wells, where a boat was waiting purposely to receive him.

The prisoner was with them all the while, directing, aiding, and assisting all the time, and when the deceased cried out Murder! murder! I am Sir John Dinely Goodere; the prisoner stopped the deceased's mouth with his cloak, so that the people not knowing his name, only asked what was the matter? The answer the prisoner and the ruffians gave was, that he, the deceased, was a thief, and a murderer, and had made his escape from the ship, and that they were going to take him aboard to secure him, in order for his trial; the prisoner still stopping the deceased's mouth, to prevent his crying out.

When the deceased got into the boat he had a little more liberty than before, and he made use of it to
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He speak to the prisoner to this effect : " Brother, I know you have an intention to murder me, I beg that if you are resolved to do it, that you would do it here and not give yourself the trouble of taking me down to your ship," To which the prisoner replied, " No, brother, I am going to prevent your rotting upon land ; but however, I would have you make your peace with God this night ;" and so without more ado, the prisoner hurried the deceased aboard the ship.

When the deceased was put on board the Ruby, he cried out loudly for help, and made a great noise ; but the prisoner took the precaution to tell the crew, " That they need not mind his noise, because he was mad ; and that he had brought him on board, on purpose to prevent his making away with himself." They then conveyed him to the purser's cabin, and all of them, except Mahony and White, were ordered ashore, with directions to conceal themselves and keep out of the way of enquiry.

Bryant further deposed, that he and five more were hired by the prisoner at a guinea a head to bring the deceased on board ; that neither of them belonged to the Ruby, but to the Vernon schooner.

Mr. Berry, the first lieutenant of the prisoner's ship, deposed, that being on deck he saw the deceased brought on board late in the evening on the 23d of January last. The deceased was immediately carried into the purser's cabin, and there kept till five o'clock in the morning. That the prisoner Goodere, White, and Mahony were with the deceased. That he saw the prisoners and deceased through a crevice in the cabin adjoining to the purser's cabin. That the deponent and the cooper of the ship, and his wife were together, and by means of the crevice saw the whole transaction. The agreement between Goodere, White, and Mahony was, that Mahony should have 200l.
White

White 150l. and what money the deceased had in his pockets, and his gold watch. After the agreement was concluded on, Mahony and White went about their bloody work, the prisoner Goodere standing centry with his drawn sword in one hand, and a pistol in the other, to kill the first person that should make any opposition to what they were about.

The first thing they did, they took a handkerchief out of the deceased's pocket: White held his hands, while Mahony put it about his neck, and then each of them pulled as hard as he could, in order to strangle the deceased at once; but Sir John making a desperate struggle, the prisoners could not effect it, so as to prevent his crying out "Murder! for God's sake don't kill me; take all I have, but save my life: dear brother! what? must I die? Help! help! murder! &c."—To prevent any further noise, the prisoner Goodere ordered Mahony to take a cord he had laid ready. The prisoner Mahony then slipped off the handkerchief, and put the cord about the deceased's neck, which cord had a noose at the end: then Mahony holding the cord in one hand, thrust the other in the deceased's throat, and his knee against his stomach. In the mean while White held the deceased's hands, and took out of his pocket eight guineas and a gold watch. Then White came directly to the prisoner Goodere, and acquainted him with what was done, and shewed him his brother's watch and money. The prisoner then asked Mahony and White, whether the jobb was quite compleated? they answered, Yes. Then the prisoner gave Mahony and White what money he had about him, and bid them get ashore directly, that they might the more easily make their escape before day-light came on.

Mr. Jones, the cooper of the ship, and his wife confirmed the evidence of the lieutenant; and Mr.

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Ford deposed, that he had Mahony under cure for the foul disease for three weeks, when he told him he had a private jobb to do for captain Goodere, for which he was to have 200l. and then he would reward him handsomely for his trouble.

The prisoner, by way of defence, said, it was a very hard case, and a great hardship on an innocent man, who, because his brother had been killed, must right or wrong, be the murderer. He was innocent of the fact, and had no hand in the murder laid to his charge. His brother was a lunatic, and in a fit of the phrenzy, strangled himself, which he said he could prove by his witnesses, and calling one Sarah Gettings, she swore the deceased was mad by turns, and very often attempted to make away with himself. One Ann Gettings swore, that the deceased had been a long time subject to strange whims and phrenzies, and often talked of shooting, drowning, and strangling himself.

An Account of the Discovery of this horrid Murder.

Mr. Smith (the gentleman at whose house Sir John Dinely Goodere, and his brother, captain Goodere, spent a sociable hour together the day before) accidentally heard that evening, that a person who had the appearance of a gentleman, was hurried in a very violent manner over College-green, and that a gentleman, who by the description of him, answered to the person of the captain, assisted; and Mr. Smith knowing the ship was to sail the first fair wind, and remembering that they went out of the house near together, it came directly into his head, that the captain had took him on board, with intent to destroy him when he came on the high seas. This suspicion being strengthened by other circumstances, made so

deep an impression on his mind, that early in the morning he applied himself to Henry Coombe, Esq; the mayor, for an officer to go and search the ship, before she was sailed out of the liberty of the city, which reaches ten or fifteen miles down the river. The officer the mayor thought fit to send was the water baliff, with proper assistance, and full orders to search the ship for Sir John Dinely Goodere, Bart. The officer obeyed his orders; and coming to the ship, the cooper, his wife, and lieutenant Berry, acquainted him, that they had just been consulting about the affair, and discovered to him what they knew of the whole matter, the captain then being safe in his cabin. The water baliff sent immediately this account to the city magistrates, who thought proper to reinforce him with a strong guard to secure the captain, but before the guard came, the cooper and lieutenant had done the business.

A letter was sent, wrote with captain Goodere's own hand, and directed to Mr. Jarit Smith, attorney at law, on College-green, Bristol, purporting, that to his (the captain's) great surprize, he had discovered that his brother, Sir John had been murdered by two ruffians, and that the villians suspected, had made their escape. This confirmed Mr. Smith, in his suspicions, and the captain being seized, as before mentioned, was brought before the mayor at the town hall, where many of the aldermen and magistrates of the city were also assembled.

It seems very remarkable, that among all the persons concerned in this dark affair, there was but one Englishmen let into the secret, for the rest were all Irish, and all belonged to the Vernon schooner. This Englishman belonged to the captain's ship, and was appointed to assist Mahony and White in the murder of Sir John, but that very night, he, by some means
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or other, got so very drunk that they could not awaken him, nor get him out of his hammock (a lucky drunken bout, that saved his neck from the halter) so that the captain was forced to officiate in his place.

This unparalleled scene of barbarity (according to Mahony's voluntary confession) was concerted between him and the captain some time before; and in all probability, the death of Sir John had been before compleated by this bloody villian, had he had a convenient opportunity. And so little effect had Mahony's cruelty upon him, that, whilst his irons were putting on, he said, he did not care if he was to be hanged to-morrow, provided he could have a priest to give him absolution.

The late Sir John Dinely Goodere was an Herefordshire Baronet, and the fourth son of Sir Edward Goodere, who was a descendant, as a Baronet of the present family. The said family had formerly enjoyed the honour of knighthood, and had been of considerable note and esteem in their respective counties. His father, Sir Edward Goodere, was created a Baronet of Burghope, in Herefordshire, (the seat of the family) in the sixth of queen Anne; and afterwards had a seat in the House of Commons, as knight of the shire for the county of Hereford. Before the death of Sir Edward, a person named Dinely, a relation, who was possessed of a very plentiful fortune, and who lived near Evesham, in Worcestershire, having a great respect for the late Sir John, made him his heir, on condition that he should change his name; for which purpose he obtained an act of parliament. Sir John, when young, was not very tractable, so that his father sent him a voyage to the East Indies, and he had failed to several other parts of the world, having been at sea some years. As he could not learn much gentility on ship board, he returned to his fa-

ther. (who had some thoughts of getting him a commission in the royal navy) and expressing a dislike of being sent from home, declared he would never more go to sea; and it is said, his father on this declaration of his, told him, he was more fit for a boatswain, than to enjoy the title of Baronet.

On the death of Sir Edward, and of Mr. Dinely, Sir John, to whom the title of Baronet devolved in right of his father, had a very pretty estate, when his father's, and that for which he changed his name were both joined. It is said, that he was possessed, in the counties of Hereford and Worcestershire, of upwards of 4000l. per annum; but we are assured his income was a good 3000l. Sir John, about the age of twenty-three, married a young lady, the daughter of a merchant in that city, who gave her a fortune of upwards of 20,000l.

But, it is so happened, some years after, through domestic jars in Sir John's family, that Sir Robert Jansen, a neighbouring Baronet, who came pretty frequently to visit Sir John's suspicions were raised to such a degree, that he forbid Sir Robert his house. The consequence of this was, that Sir John brought an action in the Court of Common-pleas, at Westminster, for criminal conversation, and laid his damages at 2000l. The jury gave Sir John 500l. damages.

Sir John, after this, indicted his lady for a conspiracy to take away his life, and by the evidence of a servant maid, the lady was found guilty, and committed to the King's-Bench prison, for twelve months, and to pay a small fine. While she remained in prison, he petitioned for a divorce; but she being assisted with money by captain Goodere, and other friends, opposed it so strongly, that the House of

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Lords were of opinion that it could not be granted : and so dismissed the petition.

The captain's view in furnishing the distressed lady with money, as he himself told Sir John, was, that he should not marry a young woman, and so beget an heir to his estate ; and this was one of the principal motives that induced Sir John to leave the greatest part of his estate to his sister's sons.

The principal occasion of this horrid and barbarous murder, was the injury captain Goodere apprehended Sir John had done him in cutting off the entail of his estate except 600*l.* per annum, which he could not meddle with, in order to settle it on his sister's sons.

By the death of Sir John, an estate of 400*l.* per annum, devolved to the Lady Dinely, his widow, not as a jointure, but as an estate of her own, which Sir John, while living, kept in his own hands.

Captain Goodere, Mahony and White, received sentence of death, and they were accordingly executed and hung in chains to the North of the Hot Wells, in sight of the place where the ship lay when the murder was committed.

WILLIAM BIRD, *for suffocating [a Prisoner in St. Martin's Round-house, September, 1742.*

WILLIAM BIRD, was indicted, for that he, on the 16th of July, 1742, about the hour of two in the morning of the said day, with force and arms, in and upon one Mary, the wife of John Maurice, did feloniously, wilfully, and of malice afore-thought make an assault, and put into a close room, called the Hole, in St. Martin's Round-house, and that the said Mary during the time of her confinement, was suffocated, and did die.

Sarah

Sarah Bland, in the course of her evidence, deposed, that Mary Maurice were taken up some time in July, about a quarter after eleven at night, and committed to the Round-house. They had not sat down above four or five minutes above stairs, but Mr. Bird came to the deponent, took her by the shoulder, and bid her go down stairs; madam, said he, go down the stairs, and Mary Maurice said, let me go along with my cousin; and she went along with her into the hole. When they were put in, they found twelve or fourteen people there, and that with those afterwards put down, made in all, twenty-four. They were kept till ten the next morning. It was vastly hot, and the deponent cried out murder; and was seconded by almost all of them. Sarah Bland asked for some water, but Mr. Bird made no answer to it. She begged for some air, and in order to get some, told Mr. Bird there was a woman in labour, that some were in fits, and two a dying. He said they might die and be damned. This was about four o'clock in the morning.

About five o'clock Mary Maurice grew light headed, and said to Sarah Bland, "Cousin let me die, let me die for God's sake." She laid her head in the deponent's lap for some time; till dropping off, she saw no more of her afterwards, being seized herself in a fit. There was a woman came with a quartern of gin to some prisoner there, but I could not tell who it was. This was before the whole was shut up. Mr. Bird shoved her away, spilt the liquor, and broke the glass. He called her a bitch, and bid her go away from the window; she went away and did not return. Soon after Mr. Bird came and padlocked the window. It was a shutter with iron bars a-cross, and long holes to let the light through.

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The heat was so excessive, that murder and fire was called. There was a woman brought a tobacco-pipe, got some beer, and the prisoners sucked through the small end of the pipe, which was put through the small hole in the shutter, and somebody came and pushed the woman and broke the pipe.

When the prisoners cried murder, fire, no person came to their assistance. Many were in fits.

Many witnesses were examined, who all agreed in their testimony, that what with heat of the weather, (it being then in July) and the confinement of such a number in so close a place, they suffered the most intolerable distress; that four of the women were actually stifled and suffocated, and lay dead in the place when the door was opened at ten o'clock in the morning, in order to take them before a justice; that though they made the most terrible outcries, fire, murder, &c. and made the most doleful complaints, that they should all die, unless they were relieved, all the comfort Mr. Bird would afford them was, "Let the bitches die and be damned;" nay, so cruel was this inhuman keeper, that, though one of the poor wretches would have given a shilling for a quart of water, and others offered four shillings for a gallon, yet he would not suffer them to have a drop, though they were perishing with drought: and not only fastened the door of the hole, but even the windows and shutters of the place, on purpose, one would think, to prevent even the possibility of receiving any benefit from the air, though there was room enough above stairs, as also in the passage leading to the hole.

The evidence being gone through, it was observed by the court, on behalf of the prisoner, that the first part of the charge, viz. his forcing, putting, and placing her in this hole, was so far from being proved

proved, that the contrary appeared in evidence; and they doubted, it being so laid, it was not become necessary to be proved. It was said on the part of the crown, that if in the first instance she was not so forced, yet from the time she cried out for relief, and desired they might be thinned, or let out, the continuing her there was a forcible confinement; and the continuing her there, knowing the danger she was in, may make that a force upon her, *ab initio*; but, that as this particular fact might not have been laid, there is no necessity to prove it. For this purpose was cited, 2 Hawkins, cap. 46. sect. 41. Also Mackelly's case, in killing a serjeant in London, on a special verdict, found at the Old-Bailey, December 5, 1610, which was said to be a case in point. The first exception to which verdict was, that there was a material variance between the indictment, and the verdict: for the indictment supposed, that the sheriff had made a precept to the serjeant at mace to arrest the defendant, and by the verdict it appeared, that there was not any such precept made, so that the indictment being special, to make that offence murder, by construction of law upon the special matter, without malice prepense, ought to be pursued and proved in evidence, which was not done in that case, for the jury did not find the said special matter, but the contrary, and because the jury had not found the special matter, contained in the indictment, but other matter, judgment could not be given against the prisoner upon that indictment. To which it was answered, and in the end resolved by all the judges of England, that there was sufficient matter contained in the indictment, upon which the court ought to give judgment of death against the prisoner, notwithstanding the said variance, and he was executed. 9 Rep. 62. 70.

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WILLIAM CHETWYND, *for Murder.*

AT the sessions held at the Old Bailey, in the month of October, 1743, William Chetwynd was indicted at common-law for the murder of Thomas Ricketts.

He was likewise indicted on the statute of stabbing.

This accident happened between two young gentlemen; who boarded at Clare's academy in Soho-Square:

Master William Hamilton being sworn deposed, that he was a boarder at Mr. Clare's academy in last September; and the prisoner was then a boarder there. That he was present when the prisoner and Mr. Ricketts were together in the room: That it was on the twenty-sixth of September. There were Samuel Malcher, Thomas Ricketts, and Mr. Chetwynd in the room when he went in. Mr. Chetwynd had got some cake; and Mr. Ricketts desired him to give him a piece of it; Chetwynd refused: that he asked him for a piece, and he likewise denied him.

Hannah Humphreys came into the room about that time. Mr. Chetwynd took the cake, and cut a piece off, and laid it on the bureau, and locked the other up; with that Mr. Ricketts came and took the piece of cake off the bureau: Chetwynd asked him for it; and Ricketts laughing, went up to the maid and told her, he had taken a piece of Chetwynd's cake; with that Chetwynd came up to him, and demanded it again, Ricketts gave him no answer, but continued laughing: upon which Chetwynd struck him immediately with the knife he had in his hand, back-handed.

Mr. Ricketts was standing by the side of Mr. Chetwynd; the blow was given just here, pointing to the

right side of his belly. On which Mr. Ricketts cried out, he was afraid he was stabbed, and clapped his hand on his side. It was a large clasp knife.

Another of the school-boys was called, master Samuel Malcher, who being asked how old he was, answered thirteen next January; the court asked him what he thought would become of him, if he did not speak the truth? he said, he should be unhappy everlasting.

He then proceeded to inform the court what he knew of the affair; which was that Mr. Ricketts asked Mr. Chetwynd for a piece of cake, and Mr. Chetwynd gave it him. About a quarter of an hour after he asked him for another piece, and Chetwynd refused it him, and then went out of the room with the cake under his arm, and came in again. He laid it down upon the bureau, and cut a piece off, and laid it down, and Ricketts came and took it—snatched it away. The cake lay before Chetwynd, and Ricketts put his hand besides him, took it away, and went to the window, upon which Mr. Chetwynd came and stabbed him, almost instantly. Mr. Ricketts told the maid then he was stabbed, and went down stairs.

Ricketts teased Chetwynd much about the first piece of cake, and when Chetwynd went out of the room the deceased followed him; and when Chetwynd carried the cake out under his arm, and came in again, Ricketts still followed him.

Then Hannah Humphreys was called, who deposed, that the young gentlemen were in the dining-room, and she in the next room. She hearing a noise went in, and asked them what they did there, and why they were not in their own rooms? Mr. Ricketts, made answer, that he wanted a piece of
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cake of Mr. Chetwynd. She said to Mr. Ricketts, have you not had a piece? He said, no, and smiled. She looked at Mr. Ricketts, and said, she believed he had, for he had some crumbs of cake upon his lips. He smiled again, and said he wanted another, or a bigger piece. Mr. Chetwynd was then at the bureau cutting his cake. Mr. Ricketts went up to the bureau to Mr. Chetwynd, and Mr. Chetwynd lifting up his arms, said, "don't Mr. Ricketts." Mr. Ricketts then took the cake.——He came up to her again, and said, Hannah, I have got some cake. Upon his saying so, Mr. Chetwynd came from the bureau, to my right hand, and in a very short time, Mr. Ricketts said, "Hannah, Mr. Chetwynd has stabbed me." She looked at him. She did not see the stab given. Mr. Ricketts had nothing in his hand, but a bit of cake. Mr. Ricketts had not struck Mr. Chetwynd, nor was seemingly in anger. Mr. Ricketts put his hand to his side: she bid him take it away, and then she saw a little blood. "Mr. Chetwynd," said she, "you have done very well:" Mr. Chetwynd replied, "Hannah, if I have hurted him, I am very sorry for it." Mr. Chetwynd left the room, and the next morning the house.

Mr. Breston Long deposed, that he came to town on Monday night the twenty-sixth of September, and found a letter from Mr. Clare; wherein he acquainted him, that Mr. Ricketts had received a wound from a young gentleman in the house, but thought there was then no danger. He did not go to Mr. Ricketts that night, thinking there was no occasion for so doing; but in the morning, he sent to Mr. Saint Hill, whose opinion was always taken when any accident happened in the family. He desired Mr. Saint Hill to meet him that day at the academy, which

he did, and they found there Mr. Shipton and Mr. Middleton, who had been called in. These three gentlemen, with Mr. M'Cullock, the surgeon of the house, viewed Mr. Ricketts's wound, and thought him in very great danger : they continued attending him till Thursday morning the twenty-ninth, when he died. Mr. Ricketts told Mr. Long, that on Monday about noon, he was sent to call Mr. Chetwynd to fence, and found him in the dining-room with a cake, of which he asked him for a piece, which he gave him ; that he then asked Mr. Chetwynd for another piece, which he refused ; and cut a piece of cake and laid it upon the bureau, which stood at the bottom of the room : Mr. Ricketts to tease Mr. Chetwynd for having refused him, but without any intention of eating or keeping it, took up the piece of cake and carried it to the middle window, and said to Hannah, the maid, who stood there, I have got a piece of cake : and that Mr. Chetwynd followed him, and immediately stabbed him in the belly, Mr. Ricketts said, he never had any quarrel with him, and that he forgave him.

Mr. Peter Saint Hill deposed, that on Tuesday the twenty-seventh of September, he received a letter from Messrs. Drake and Long, desiring him to go to Mr. Clare's academy in Soho-square, to see a young gentleman, whom they had the care of, who the day before had been accidentally wounded. He met there Mr. Shipton, Mr. Middleton, and Mr. M'Cullock ; and by Mr. M'Cullock's account of the wound, who first dressed him, and the symptoms that attended it, they had too much reason to fear that it had penetrated into the cavity of the belly, and that some of the viscera were wounded, for his belly was much swelled, and across the upper part of it so very painful as to deprive him of all rest, and his

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his pulse was extremely quick and contracted. The next day they met again: he had a very unquiet night; his pulse was extremely quick and low; and though his belly was not so much swelled, yet his pain across the upper part of it was more severe, and attended with a continual hick-up, and frequent bilious vomitings. There is no doubt but that the wound was the occasion of his death.

Mr. M'Culloch deposed, that he was called at half an hour after one, on the Monday, to go to Mr. Clare's; when he came there, he asked to see the knife, which was produced broke. He probed the wound, but did not find at that time, that it had penetrated into the cavity of the belly: the deceased's pulse was extremely low, but he thought it was owing to the fright: he went the next day, and upon searching the wound, he found it had penetrated into the cavity of the belly, and that it was a very bad case: upon that Mr. Middleton was sent for, and Mr. Shipton and Mr. Saint Hill.

The counsel for the prisoner called no witnesses, admitting that the fact had been fairly laid before the court by the evidence, and acknowledged the candor of the gentlemen concerned in the prosecution, in representing it to the jury without any aggravation; but insisted, on his behalf, that however his hand might be unhappy, this heart was innocent; that therefore this fact could not amount to murder at common law, which the Lord Coke defines to be, "an unlawful killing another man with malice aforethought," either expressed by the party, or implied by the law; that in this case, there was not the least of that ingredient, their own evidence having shewed they were friends, friends to the last hour, when the gentleman said he forgave him. That it being proved there was a friendship subsisting, it would be
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talking against the sense of mankind to say the law could imply any thing contrary to what is plainly proved. That deliberation and cruelty makes the difference between manslaughter and murder. For which purpose they cited several cases and authorities.

Shall the young boy at the bar who was doing a lawful act, be said to be guilty of murder? He was rescuing what was his own? the witnesses have told you, that after he had given Ricketts a piece of cake, Ricketts went to him for more; he denied it him; he had a right to keep his cake, and the other had no right to take it; and he had a right to retake it.

There are cases in the books which make a difference between murder and manslaughter. If a man takes up a bar of iron and throws it at another, it is murder; and the difference in the crime lies between a person's taking it up, and having it in his hand. Chetwynd had the knife in his hand, and upon that a provocation ensues, for he did not take the knife up; if he had, that would have shewn an intention to do mischief. It may be doubted, whether or no when he had this knife in his hand for a lawful purpose, and in an instant struck the other, whether he considered he had the knife in his hand; for if in his passion he intended to strike with his hand, and struck with the knife, not thinking it was in his hand, it is not striking with the knife.

That it was to be considered whether there was not evidence to except this case from the letter of the Statute 1 James I.

At the beginning of the affray, Chetwynd had a knife in his hand; and it was one continued act. And another question was, whether there was not a struggle; here was the cake taken, and endeavouring to get it again, this accident happens; at the
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first taking of the cake, it is in evidence, that Chetwynd was forced to extend his arms, unless the other was coming to take it from him, and then a struggle is a blow.

This act of the 1. James I. was made for a particular purpose: on the union of the two kingdoms, there were national factions and jealousies, when wicked persons, to conceal the malice lurking in their hearts, would suddenly stab others, and screen themselves from the law by having the act looked upon as the result of an immediate quarrel. That this statute has been always looked upon as a hard law, and therefore always construed by all the judges in favour of the prisoner. That when the facts amount only to manslaughter at common law, it has been the custom of the court to acquit upon this statute.

The counsel for the crown in reply, submitted it to the court whether (since the only points insisted on by way of defence for the prisoner, where questions at law, in which the jury were to be guided by their opinion) the facts proved and admitted did not clearly, in the first place, amount to murder at common law; and in the second place, whether there could be the least doubt in point of law, but that his case was within the statute of 1. James I.

Upon the first it was admitted, that to constitute murder there must be malice.

But it was agreed, that malice was of two kinds, either expressed and in fact, or implied by law.

But when one person kills another without provocation it is murder, because the law presumes and implies, malice from the act done. And therefore, whenever any person kills another it is murder, unless some sufficient provocation appear.——But it is not every provocation that extenuates the killing of a man from murder into manslaughter. A slight
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or trivial provocation is the same as none, and is not allowed in law to be any justification or excuse for the death of another. And therefore no words of reproach or infamy, whatever provoking circumstances they may be attended with; no affronting gestures, or deriding postures, however insolent or malicious, are allowed to be put in balance with the life of a man, and to extenuate the offence from murder to manslaughter. Kelyng, 130.

For the same reason, no sudden quarrel upon a sudden provocation, shall justify such an act of cruelty as one man's stabbing another, though it be done immediately in the heat of passion. As if persons, playing at tables, fall out in their game, and the one upon a sudden kills the other with a dagger, this was held to be murder by Bromley, at Chester assizes. Kelyng, 128.

In the like manner, no trespass on lands or goods shall be allowed to be any excuse for one man's attacking another in such manner as apparently endangers his life, and could not be intended merely as a chastisement for his offence; because no violent acts beyond the proportion of the provocation receive countenance from the law.

And therefore if a man beats another for trespassing upon his goods or lands, and does not desist, he will be justified by law; because what he does is only in defence of his property, and no more than a chastisement to the offender.

But, says the lord chief justice Holt, if one man be trespassing on another, breaking his hedges, or the like, and the owner, or his servant, shall upon sight thereof, take up a hedge-stake, and knock him on the head, that will be murder; because it is a violent act beyond the proportion of the provocation. Kelyng, 132.

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That applying the rules of law to the present case, it was plain, that the violent act done, bore no proportion to the provocation. All the provocation given was taking up a piece of cake, which is not such an offence as can justify the prisoner's attacking the person who took it up, with an instrument, that apparently endangered his life, or rather carried certain death along with it.

On the second indictment it was said, that the counsel for the prisoner had in effect contended, that the statute i James I. should never be allowed to comprehend any one case whatsoever, or extend to any one offender, which would entirely frustrate that statute; since it was only made in order to exclude such persons as stabbed others upon the sudden, from the benefit of clergy; and was intended as a sort of correction to the common law, by restraining such offenders through fear of due punishment, who were emboldened by presuming on the benefit of clergy, allowed by the common law. But if it is to exclude none from their clergy, who at common law would have been entitled to it, it can never have any effect, and may be as well repealed.

And if the statute is to have any force or effect at all, there can be no doubt but it must extend to the present case. It is expressly within the words; Mr. Ricketts was stabbed, having then no weapon drawn in his hand, and not having before struck the person who stabbed him. It is plainly within the intention; which is declared in the preamble to have been in order to punish stabbing or killing upon the sudden, committed in rage or any other passion of the mind, &c. and therefore it was submitted to the court, whether upon the facts proved, and not denied, the consequence of the law was not clear, that the prisoner was guilty within both indictments.

NUMB. XX.

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Mr. baron Reynolds, and Mr. Recorder, being the only gentlemen of the long robe on the bench, when Mr. Chetwynd was tried, taking notice of the points of law that had arisen, the learned arguments of the counsel, and the many cases cited upon this occasion, were of opinion, that it would be proper to have the facts found specially, that they might be put in a way of receiving a more solemn determination. A special verdict was accordingly on all sides agreed on, and drawn up in the usual manner, viz. by giving a true state of the facts as they appeared in evidence, and concluding thus: "We find that the deceased was about the age of nineteen, and Mr. Chetwynd about the age of fifteen; and that of this wound the deceased died, on the twenty-ninth of the said September; but whether upon the whole, the prisoner is guilty of all, or any of the said indictment, the jurors submit to the judgment of the court."

MARTHA STRACEY, *for an Highway Robbery.*

AT the sessions at the Old-Bailey, in the month of January, 1744-5, Martha Stracy was indicted for robbing William Humphreys, on the highway of one guinea, December 23.

The prosecutor being sworn, deposed, that about twenty minutes after twelve o'clock, between the twenty-second and twenty-third day of October, as he was going along the Strand, by Northumberland-house, the prisoner met him, and said, "Where are you going, my dear?" he said, "What is it to you, you b—h?" Then a man came behind him, or one side of him, and laid hold of his collar; as soon as he

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he found that, he struck at him; then another man came up and pulled him down backwards upon a step, held him by the throat, and asked him what business he had to call the woman b—h? Then the prisoner unbuttoned his breeches, and turned every pocket the wrong side out, and took a guinea out of his fob. She left one six-pence behind, which happened to stick in the corner of one of his pockets. As she was unbuttoning his breeches, he took hold of her by the coat with his right hand, the men having left his hands at liberty. She was very dexterous, for she was not above a minute robbing him. The men made off, and one of them struck at him with a stick about two feet and a half long. When he got up, he took her by the hand, and she called for assistance; then one of the men came and knocked him down. The deponent never quitted hold of the prisoner the whole time. While he was down upon his back, she, the prisoner, said, “D—n him, kill him, he squeaks.” Then Thomas Ind, Benjamin Meadows came to his assistance, and the men got off—it being a very dark night. The deponent kept fast hold of her till they came to the watch-house.

The prisoner said, that Humphreys asked her to drink, and he would give her a shilling to have some conversation with her. She said she did not come out upon that account, but he persuaded her, and gave her the guinea instead of a shilling, or else she should not have kept it in her pocket till the next morning.

William Dunn, the constable of the night, deposed, that about one o'clock in the morning, the prosecutor brought the prisoner into St. Martin's watch-house, and told him, as he has sworn in court, that she had robbed him, by the assistance of two men,

of a guinea ; that he had never let her go from him, and was sure she must have it about her. He searched her, and took two shillings and some half-pence out of her pocket. He said to Ind, search her behind and before, begging your pardon, my lord, he has got a very good hand at searching : he searched her, and took the guinea out of her mouth ; that he was the more ready to have her searched, because the man was very positive, and very sober.

Dunn took her aside, and desired her to give an account of her two accomplices, by which she might probably save her own life ; instead of giving a direct answer, she said, “ Whether I had any assistance or not, I will make no confession.” Then she pulled him back, whispered him in the ear, and said, “ Mr. Constable, I know it is in your power to leave the watch-house door open, and let me out : if you will, you shall ——— whenever you please.”

Thomas Ind, the man that searched her, deposed, that he belonged to the house of correction at Tothill-fields Bridewell. On the twenty-second of December, about nine o'clock at night, he went to the goal with some prisoners, and staid till near twelve. He was going home into Covent garden, and just by the Bagnio at Charing-cross, he heard an outcry ; he thought there had been some quarrel. He saw Humphreys, with the prisoner in his right hand : he told him he had been robbed by the prisoner and two men, and desired him to go with him to the watch-house. When he came there, Mr. Dunn thought him a proper person, and desired him to search her. He pulled off her stockings, searched all her cloaths, and found 2s. 4d. and a bag of tobacco. Then he searched her arm-pits, and every where that he thought she might have concealed it, but could not find the guinea : at last, he said, “ D—n
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you, open your mouth"; she opened it, and turned up her tongue double: he put his finger into her mouth, and brought out the guinea.

Paul Broadbent, the beadle, deposed, that he held the candle, while Ind searched her, and at last he brought the guinea out of her mouth; he said she had better confess who were her accomplices; she said, if she was hanged herself, she would not bring in any other person to be hanged.

Benjamin Meadows deposed, that he was going home between twelve and one o'clock, and when he was against the Mews gate, he heard watch cried out; he did not mind it at first, but softly walked on; when he came against his own door, he saw Humphreys have hold of the prisoner by the hand: when he came up, he was surrounded by many people; some said, let her go; he heard Humphreys speak, and knew his voice. That he spoke to Humphreys, who said, he had been robbed of a guinea. "Then," says he, "If you have been robbed, don't let her go." They carried her to the watch-house; Mr. Ind searched her all over, and at last pulled the guinea out of her mouth.

The jury, without hesitation, brought her in guilty,
Death.

BENJAMIN STEVENS, *for Murder.*

AT the sessions held at the Old-bailey, in the month of May, 1745, Benjamin Stevens was indicted for the murder of Sarah, his wife, on the 26th of April.

In the course of evidence it appeared by the deposition of Sarah Connell, that the prisoner and his wife lodged at her house, and had been there about a month: it was a ready furnished lodging, and they had

had a lock and key to themselves. The action was done three doors off her house, on the Friday before May-day.

The prisoner and the husband of Sarah Connell were cord-wainers, and the deceased used to close upper leathers for the trade.

The deceased was alive and well between three and four o'clock in the afternoon, and came to Sarah Connell with a pair of upper leathers. About three quarters after six, the prisoner came to her house, and desired her to go into the chamber to his wife; he was in a great deal of confusion and disorder. She asked him what was the matter? he said, he was afraid she was dead. Says Sarah Connell, "I hope there has been no quarrel, or that she is not in a fit. He said, "he wished she would make haste up, for there was a great effusion of blood." Says Connell, "I hope you have not been quarrelling." He answered with a great deal of concern, "That it was a very bad quarrel, for he was afraid she was dead." Says Connell, "I hope you have not killed your wife." he said, "he had given an helping hand to it, for she was stabbed."

The husband of Sarah Connell said, "Why don't you go?" says she, "I do not care to go amongst blood by myself;" so Rose Dockery, and Anne Nugent went with her. They found her naked in bed, only her shift on, and dead; but to all appearance, and her belief, when she (Sarah Connell) first saw her, she was fast asleep. She turned down the bed cloaths, and there was a hole through her shift into her left breast.

Sarah Connell to account for her being in bed in the afternoon, said, that it appeared, that he had also been in bed, and that when they had got a drop of liquor, they used to go to bed. She desired Ann Nugent

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Nugent to go for a constable, and not make any noise about it, for if he (Stevens) should know of a constable's being sent for, he might go off: she engaged to keep him in discourse till the constable should come. Away went Nugent, to Mr. Oake, a constable in the Coal-yard. She thought to have found the prisoner in her husband's room, but he was gone.

She laid her hand upon the deceased's head and forehead; as she lay quite still, she spoke to her, and desired, if she had any breath in her, to remove, or lift up her eyes, but she did neither. She went there afterwards, and the prisoner with them, and there was a knife upon the seat he worked on, (a shoe-maker's knife.) She asked him how the knife came there? he said, he put it there himself. The knife was bloody, but there were no sparkles of blood upon her fingers, or her face, or hardly on the sheet.

The blood ran through the bed upon the ground, but there was none on the upper sheet. There was no appearance, as if she had made a struggling, or opposition, and it was her opinion she was killed in her sleep.

Mr. Edmund Killick, a surgeon, deposed, that on the 27th of April, he was sent for to open the body of the deceased, and upon viewing it, found a wound upon the left side of her breast, two inches traversed, near the sternon, into the pericradium, and into the left ventricle of the heart, and this must be attended with sudden death. He put the knife into the wound, and it fitted it exactly. It was most probable that she was asleep at the time he stabbed her, because there was no spring of blood: there can be no circulation of the blood, without its going into the left ventricle of the heart.

Mr. Oake, the constable, deposed, that on the 26th of April, being sent for, he went, and found the deceased bloody in bed ; he took her by the hand and found she was dead ; there was a knife all bloody, and a great deal of blood in and upon the bed. He went to his master, Mr. Purdue's, where he worked, and enquired for him, and desired them, if he came, to lay hold of him, and send for him, for he believed he had murdered his wife. He went to several houses in Clare-market, where the shoe-makers use, and could not find him : he went to the houses where he lodged before, and he was not there, but they gave him a good character. Then he went back to his (Oake's) house, and found him drinking a pot of beer with two men : he told him he must take him into custody ; he said he was very willing to surrender himself. Says Oake to him, "Are you the husband of that unfortunate woman that was murdered?" "Yes," said he, "I am the unfortunate man who gave that mortal wound." He seemed to be much concerned, and said, he could freely take a knife and cut his own throat for what he had done. He said, he believed he should be hanged, and desired nothing more than to submit himself to justice ; and desired the constable that he would prevent his being ill treated by the mob. Then he prevaricated, and said, she put a knife to her breast, and said, "Now you rogue thrust it in : " and that he thrust the knife into her breast.

Dockery and Nugent confirmed the testimony given by Connell, as to their seeing her lie in bed ; and

Sir Thomas de Veil deposed, that the prisoner was brought before him, and desired to make a voluntary confession. He read the confession twice to him, and he signed it voluntarily and freely, and was sober. Sir Thomas told him, he believed it would be the finishing

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finishing stroke for him. He seemed very penitent, and said, he made this confession of his own accord.

The prisoner, in his defence, said, that he had sent his wife to buy some victuals, and she came home twice without any. She went out the third time, and he followed her. They went and drank two or three pints of beer, and she drank a dram, for she had been very much addicted to drinking. He persuaded her to go home, and go to bed, and he had a design to go to bed also, in order that he might be able to get up by times in the morning. She took the knife off the seat, which is just by the bed, and desired him to kill her : he dissuaded her from it, and they both struggled, and both fell upon the bed, and he fell upon her, and run the knife into her.

To his character appeared Mr. John Purdue, who said that the unfortunate man had worked with him and his father twenty-three or twenty-four years ; and in all that time he never saw him strike or abuse his wife, but used her with abundance of good manners. Nobody knows what he has undergone with her ; whenever she wanted money of him she had it, and he paid Mr. Purdue again. She had a shilling of him the day the accident happened. He was surprized when the constable and his landlady came to his house, and said that Stevens had killed his wife.—— In order to explain to the court what he meant by his suffering very much by her, he said, that the poor man could scarce keep a coat to his back, owing entirely to her drinking. He came to Mr. Purdue's shop, about half an hour after the constable had been there ; said he, " Stevens, what have you done ? they say you have murdered your wife." Then he said, " If I have I will go and surrender myself to justice de Veil," and he would go to the constable in the coal-yard.

NUMB. XX.

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Mary

Mary Wyman swore, that on the 16th or 17th of April, on a Friday night, she heard of the unhappy accident; she was the more surprized at it, because Mr. Stevens and his wife had always behaved very civilly and endearing to one another: to be sure the woman was very much addicted to drinking, and he has said, "Mrs. Wyman, what must I do with this unhappy woman?" and he was afraid she would make him commit some rash unlucky act on him or herself. That she told him, as he was a sober, patient man, he must make himself as easy as possible. That she never heard him abuse her, or say she was a drunkard, and she was not abusive neither, for if she got a little in liquor, she would go to bed.

James Robinson deposed, that he belonged to a benefit club with Stevens, where they allow some money for burying wives; and hearing of this accident, he went to look at the woman, and the prisoner desired him to go up and help his wife, or she would die for want of assistance. When he saw her, he said to Stevens, "You have killed your wife." "God forbid!" says he, "but we have had a scuffle, and she has got an unlucky cut." She lay close to the side of the bedstead, and it was easy for her to reach the knife. Stevens is a very temperate man, and is scarce ever heard to swear an oath.

Some others appeared to give Stevens the best of characters, that his wife was addicted to drinking; and one in particular swore, that the deceased had many a time attempted to destroy herself, but that the prisoner used to wrench the knife out of her hands.

The jury brought him in guilty. *Death.*

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CAPTAIN PORTEUS, *before the High Criminal Court of Lords of Justiciary in Scotland, for Murder, July 20, 1736.*

ON Wednesday, April 14, 1736, one Andrew Wilson, condemned for the robbery of a collector of the customs, was executed at Edinburgh, attended by a numerous guard to prevent a rescue, which was apprehended; but though nothing of that kind was attempted, captain John Porteus, the commander of the city guard, on a parcel of boys throwing stones at the executioner as he was cutting him down, and as is usual at executions, fired among the people, and his guard followed his example, by which about twenty persons were unhappily killed or wounded.

The captain and others guilty of this rash and barbarous action, were thereupon committed to prison, as they had not the least orders from the magistrates to fire, who were themselves in danger of being killed, a ball having grazed on the side of the window, upstairs, where they stood. For this fact he was tried, found guilty of wilful murder, and sentenced to death.

Captain Porteus then formed the following petition to her majesty queen Caroline (who was then regent) which was accordingly delivered, and he was reprieved for six weeks.

To her most excellent Majesty, Queen CAROLINE, Guardian of these Realms; the humble Petition of John Porteus, late Captain-Lieutenant of the City guard of Edinburgh; now under Sentence of Death.

Sheweth,

That a certain person named Andrew Wilson, being convicted in the High Court of Justiciary in
D d d 2 Scotland

Scotland, for a robbery of the public money, committed on the highway, was sentenced to death for that offence; and it being apprehended the populace would rescue the said offender, or commit some outrage at his execution, your petitioner was appointed by the magistrates of the said city, to attend such execution with a detachment of the city guard, with orders to the same duly executed, and to suppress any tumults that might happen upon the gibbet, the populace began to insist to have his body cut down, before the magistrates had given orders for that purpose; and your petitioner having no authority to consent thereto, without such orders, they threatened to cut him down by force; and in order so to do, crowded in great numbers upon your petitioner and his men, and did actually assault them with large stones, by which several of the detachment were hurt and wounded.

That, during this tumult, divers of the same detachment, without order from your petitioner, unfortunately fired upon the multitude, whereby several persons were killed, and others wounded.

That your petitioner, after having used his utmost endeavours to restrain such firing by his men, perceiving them to run into confusion, and to act without orders, drew them off as fast as possible to the guard; and committed such as he suspected to have fired, to the custody of the guard, together with their pieces, which he ordered to be kept for inspection, in the same condition as they were then in.

That your petitioner being accused of having himself fired upon the multitude on this occasion, and also of having ordered the detachment to fire, without any just or reasonable cause, your petitioner was put upon his trial in the High Court of Justiciary aforesaid, for the said supposed offence, and the jury empannelled

nelled to try your petitioner, by their verdict found, That it was proved, that your petitioner had fired a gun.

Upon which verdict returned by the jury, the court deemed and adjudged your petitioner to be hanged on a gibbet, on the 8th day of September next.

That tho' your petitioner is sensible of that deference and respect that is due to the verdict of a British jury, yet he humbly begs leave to represent to your most excellent majesty the following circumstances as they appeared upon his trial (to wit) that the evidence against your petitioner, as to his having fired, or given orders to fire, was very contradictory and inconsistent; for tho' some of the witnesses deposed, that your petitioner fired the first shot, yet they differed extremely as to your petitioner's situation, at the time he is alledged to have so fired, as well as in other circumstances; some placing him in one corner, and others at a quite opposite corner of the scaffold: some alledging, that none of the soldiers were then near the petitioner, and that no other shots were fired at that time; while others describe your petitioner as encompassed with soldiers, and say, that several shots were fired instantly upon your petitioner's firing such first shot; and some agree, that the first shot was not fired by your petitioner, but by a centinel of the guard, who was close by your petitioner.

Whereas a great many persons of undoubted credit and veracity, produced on the part of your petitioner, expressly swore, that during the whole time of firing, (which continued four or five minutes) they took exact notice of your petitioner's behaviour and conduct, and could not observe that he fired at all; but that, upon the mob's pressing severely upon
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your petitioner and his men, and pelting them with large stones; your petitioner called aloud to keep off, otherwise he would fire; and that upon your petitioner's pointing his piece, in order to intimidate the mob, a centinel of the guard, advanced from behind your petitioner, and fired the first shot, on which one of the multitude fell to the ground: from which example they supposed several others fired; by means whereof, the several persons in the indictment mentioned were either killed or wounded.

And as a further circumstance, to shew that your petitioner did not fire, it was proved, that upon his return from the execution, your petitioner went directly of his own accord to the magistrates, who examined his piece, and found the same loaded, and in such condition, that they agreed and were satisfied it had not been fired; and the sergeant of the detachment attested, that your petitioner having delivered his piece to the deponent to keep, while your petitioner attended the devotions at the execution, the deponent restored the same again to your petitioner, just before your petitioner descended from the scaffold, which is a strong circumstance to shew that your petitioner must have fired his own piece, if he had fired at all.

Your petitioner also begs leave humbly to observe, that when a band of armed men are together, and some of them fire, it is very difficult, especially for those at a distance, to discriminate the persons that actually fired; and your petitioner is in charity led to believe, that the circumstances of your petitioner's levelling his piece, and threatening to fire, attended with that of the centinel's having fired just behind your petitioner may have induced some unwary persons in the heat of popular fury and resentment, to be too positive in the assertion of facts, in their nature dubious, and uncertain.

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And as to your petitioner's having given orders to the men to fire, though two or three persons gave evidence against your petitioner as to that fact, yet neither did they agree touching the place, where your petitioner was standing, not in the form of words pretended to be used by your petitioner in the giving thereof. Whereas it was deposed by a great number, particularly of the soldiers, who were close by your petitioner during the whole time of the affray, that they could not observe that your petitioner gave any such orders; but on the contrary, that he called aloud to the men, Don't fire, and that he pushed back the man that fired the first shot into his rank, which shews that your petitioner did not approve thereof; that he drew off the andmen as fast as he could; and that being pursued pelted by the populace, divers in the rear turned about and fired, when your petitioner was at such distance, that he could not possibly be privy or consenting thereto.

It was likewise observed at the trial, and not contradicted, that upon many former occasions of tumults, when your petitioner with the guard hath been ordered to quell the same, your petitioner had bore great insults from the populace, even to the danger of his life, without firing, or ordering his men to fire, and that in cases where he would have been well justified by the law in doing either.

So that upon the whole, as your petitioner hath the inward satisfaction of being conscious to himself of his innocence of the facts charged against him, so he humbly apprehends, that the evidence adduced to prove the same, when compared with your petitioner's defence, will not appear to be certain or conclusive.

But

But in case your petitioner had been guilty either of firing, or ordering his men to fire, upon the occasion aforesaid, your petitioner most humbly intreats your majesty to consider, that your petitioner was in the exercise of a trust, delegated to him by the lawful civil authority; that he and his detachment were first unlawfully assaulted, and invaded by the populace, and divers of his men bruised and hurt; and if, in the case of such an insult upon the laws, your petitioner humbly begs leave to observe, that though he should look back with the utmost sorrow upon so fatal an event, yet he humbly hopes, that the provocation and aggression aforesaid, would be considered by your most excellent majesty, in your profound wisdom, as a great extenuation of an offence, which could not be supposed to be attended with any pre-pense malice of your petitioner, against persons of whom he had no knowledge; and that your petitioner would be deemed a proper object of the royal clemency.

Your petitioner therefore most humbly prays your most excellent Majesty, to take your petitioner's unfortunate case into your royal consideration; and to extend that mercy and compassion to your petitioner, by which your Majesty, adorned with all excellent and princely qualities, is so remarkably distinguished; and that your Majesty will be graciously pleased to issue your royal warrant for your petitioner's pardon. And your petitioner, whose duty hath hitherto rendered him on all occasions, most zealously attached to his Majesty, and our happy constitution, will, from the additional bond of the most powerful gratitude, devote that life to the service of his most excellent Majesty, and his illustrious house, which he shall enjoy as the fruit of your Majesty's clemency and grace.

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Great application having been made to her Majesty for changing the sentence passed on Captain Porteus from death to transportation, there was a reprieve granted for six weeks, which arrived at Edinburgh the second, and the execution was to have been on the eighth. The news of this being known amongst the people, occasioned a most extraordinary, and surprising event, of which we have the following account :

About ten at night, some men, by surprise, entered the city, seized all the fire arms, battle-axes, and the drums belonging to the city-guard. The mob in a few minutes locked and secured all the city gates, and with drums beat an alarm, then attempted to force open with hammers and other instruments the (Talbooth) prison-door ; but these failing, they set fire to it and burnt it. When they entered the prison, they called upon the under-keeper, who was within, and made him open the double locks of the apartment where Captain Porteus was ; it had also a bolt within, but was not bolted, so they had ready access. He begged they would spare him till next afternoon ; but they refused his request, and he making some resistance, they dragged him down the stairs by his legs, and immediately hurried him away, which was about eleven o'clock.

When brought out of prison, he was heard to cry. They then marched out with lighted torches before them : in their way to the Grass-market, passing by a barber's sign-post, some called out to hang him up there ; but it was resolved to hang him where the murder was committed : so they proceeded to the place where the gallows used to be fixed for executions, where he was about a quarter of an hour, till they opened a shop, and brought out a rope, one end of which they threw over a sign-post, about

twenty feet high, belonging to a Dyer in the Grass-market, near the ordinary place of execution. He desired some time to prepare for death; but was answered, they would allow him no more than those who were shot.

They then pulled him up in the dress which they found him in, viz. a night-gown and cap. He having his hands loosed, fixed them betwixt his neck and the rope, whereupon one with a bottle-axe struck his hands. They then let him down, and having on two shirts, they wrapped one of them about his face, and tied his arms with his night-gown; then pulling him up again, where he hung till day-light.

When he was cut down, and carried to the Greyfriars church; upon inspecting his body, it appeared his shoulder was wounded, his back discoloured, and his neck broke.

It was observed, that this mob was under a stricter concert and better conduct than usual; for as marching along to the execution, Porteus observing a gentleman of his acquaintance, he gave him a purse of twenty-three guineas, which he desired might be delivered to his brother. After the execution was over, they left the arms and drums on the place of execution, where they were the next morning. During the tumult, parties of armed men, with arms and drums patrolled in the different streets, to prevent any surprise from the king's forces quartered in the suburbs. The magistrates attended, with several of the burghesses, attempted to disperse the mob, but were pelted with stones, and threatened with fire-arms, if they did not retire. After the execution was over, they went to the Lord Provost's house, and told him, they were satisfied, and so departed, without offering any violence.

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There is one circumstance mentioned by some, that in order to supply the want of clergymen, they ordered two of the gravest of their number to exhort him, as he went to the place of execution.

Some other circumstances were also related; as, that it was almost certain, that those who took upon them the direction, and began, and carried on the riot, came from the westward, and entered the west-port; and they seized the west-port drum, and some of them advancing up into the Grass-market, beat a call to arms; then called out, "Here! all those who dare avenge innocent blood." That some of the mob being told of the danger they exposed themselves to, if the king's forces should come upon them; answered,—— "No man will die till his day come."

That before the prison-door was near burnt down, several rushed through the flames, up the stairs, commanded the keys from the keepers; and, though they could scarce see one another for the smoke, got into Captain Porteus's apartment, calling, "Where is the villain?" That he answered, "Gentlemen, I am here: but what are ye to do with me?" They said, "We are to carry you to the place where you shed so much innocent blood, and hang you."—

That the boldness, secrecy, and success of this enterprise, made some apt to believe, that persons above the vulgar rank had a hand in it: and the rather, as the keeper declared they were persons in good dress, who took out the prisoner, tho' disguised with leather aprons, &c.

JOHN WINN, *Mariner, for Piracy and Murder.*

SAMUEL WELLS, being sworn, deposed, that he belonged to the Albany, a merchant vessel, and was sent on board the Polly, with six others, at

Bassan, on the coast of Africa, to lend a hand to work her down to Anamaboe in April last; that John Fox was the master of the Polly, and the prisoner John Winn, a foremast-man of the same; that, as they were going to Anamaboe, they stopped at Cape Apalonia, after sailing two days, where they staid only one night: that, Captain Fox going on shore, Wells, the deponent, Robert Fitzgerald, William Hughes, and John Tomlin, had the watch upon deck, between eight and nine in the evening, the prisoner then being below: but that the prisoner soon after coming up upon the quarter-deck to him, and asking if he saw a canoe coming? To which he answered, No; he then took hold of his nose, and said, "Upon pain of your life, don't speak a word." That then, going down into the cabin he handed up some pistols to William Hughes, which Hughes carried to the main-deck, and that the prisoner, coming up again, ordered him, the deponent to go and loose the sails, which he did: that he, the deponent, then went down upon the main-deck and hearing a pistol go off, soon learned that the mate was shot through the shoulder; that the prisoner and others were armed all night, and that he came forward to Peter Jordan, and threatened to blow his brains out, if he did not do as he ordered him: that he ordered him, Jordan, to go and fetch some grog, that is, rum and water, and that they kept drinking heartily all night; that in the morning they called all hands up to swear to be true to Captain Power of the Bravo, the prisoner having called him Captain Power, and altered the ship's name to that of the Bravo; and that the prisoner, having put a pistol into Peter Jordan's mouth, and threatened to blow out his brains, he then, seconded by

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by John Potts, William Hughes, Robert Fitzgerald and John Tomlin, ordered them aft.

Being asked, whether Tomlin was armed? He answered he was not at first, and further said, that when they went aft, William Hughes had got a prayer-book belonging to the prisoner to swear them all, and that Potts, and all that were concerned together, required them to take an oath, the prisoner then standing at the table, with a brace of pistols in his hands.

Being desired by the court to repeat the words made use of when they were required to swear, he said, it was, to swear to be true to Captain Power of the Bravo, and to one another, and to obey his command. He also related a circumstance, whilst they were swearing, of the prisoner's shooting Adam Mercer through the cheek, when he was just come up upon deck; but he did not know, whether the pistol went off by accident, or not. It was, however, not attended with any fatal consequences.

Wells being next examined, in regard to the murder of the negro man, deposed, that this negro was a freeman belonging to Bassan, and in two or three days after they were out at sea, going a pirating to the windward, was employed in splitting some wood forward: that Robert Fitzgerald, having observed the negro making motions to the slaves, and to throw something over board, went and told the prisoner of it, whereupon the prisoner coming down from the quarter-deck, lashed him up to the rail by his hands, and his feet to a handspike, and taking a cat-of-nine-tails, flogged him three or four minutes; but, not having patience to flog him longer, he took a cutlass from out of the boat, and fell
to

to cutting him all round the body, and cut him downright, and wounded him much.

Being asked how many cuts he gave him, and where himself, the deponent, was at the time? He answered, that he could not be positive to the number of the cuts; and that he was then aft under the awning, about three or four yards from the prisoner, who calling for another cutlass, saying the one he had was not good enough, ordered him, the deponent, to go and get another: that having brought him up another, he fell to cutting him again about the head, and round the body, and did not mind where he cut him; that the prisoner ordered Fitzgerald to give him a cut or two, and he gave him two or three cuts; and that having repeated the same, ordered Potts to cut him, he did so, also, all with the second cutlass: that the black bled mightily about the head and body, before those two cut him, being almost dead when Fitzgerald came, though life was in him, but he could not speak; that Potts, without any one bidding him, took a carpenter's broad axe, and cut the negro's head off, as he continued tied, and then threw the head and body over-board.

Being asked, on his cross-examination, the condition of the negro, when the prisoner left him to Fitzgerald? Whether he was not alive, and might have lived? He answered, that he could not live after he was cut to that degree; that he was cut all round about his sides, and his head; and that he had been quite mad, and cried very much, but was almost dead before Fitzgerald cut him.

Being asked again, how many of the seven that came from Albany were engaged in the mutiny? He said, there were five of them, viz. Richard Thomas,

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mas, Thomas Hughes, John Potts, Robert Fitzgerald, and Charles Day; and that Adam Mercer was the other that came from the Albany, but was not engaged with them, as was not himself, the deponent.

Peter Jordan, being sworn, related all the circumstances that Wells did concerning the murder of the negro, who was a freeman, and a pledge a-board the ship for two slaves, and whose offence seemed to be nothing more than heaving a chip over-board, as he was cutting some wood in the afternoon on the deck. The circumstance of the behaviour of Winn and his associates, in regard to the mutiny and piracy, were also the same, except a few particulars, concerning a design of killing him, the deponent, Jordan, Adam Mercer, and the chief mate: the two last of which were shot at: the chief mate, whose name was Jenkins, by the prisoner, whom he had called out of the cabin, and firing a pistol at, wounded him in the shoulder; and Adam Mercer by the prisoner also, three slugs having passed through his cheek, and two lodged in his neck, which he, the deponent, Jordan, cut afterwards out with his lancet.

In regard to himself and Jenkins, the deponent, Jordan, said, that their lives were partly saved by the interposition of Tomlin, who told the prisoner, "What signifies killing one another? We will make them work the vessel for us." So there was nothing done to them; though afterwards the prisoner had threatened to take away the deponent's life, by clapping a pistol loaded and cocked into his mouth, and shortly after had snapped a pistol five times at one W. Ainsworth.

Some

Some persons appeared to the prisoner's character: being found guilty of death, he received sentence immediately, to be executed on the Monday following, being the second of March, at Execution-dock, his body to be dissected; but was respited till Tuesday the 10th, when he suffered according to his sentence.

And, as justice had been done to the country by the example of Winn, the ringleader, and some circumstances appeared, on the trial, in the prisoner, Tomlin's favour, as to his not being armed when the others were, and his preventing the others, when they were proceeding to kill one or two of the men, his majesty's attorney-general did not produce any evidence against him, and he was acquitted.

END OF VOL. II.

Ex. J. 10.

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Pages 117-120 repeated Matter different

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